

REGD NO. JK—33



THE

## **JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Thu., the 31st May, 2018/10th Jyai., 1940. [No. 9

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## **PART I-A**

### **Jammu & Kashmir Government—Orders**

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**HIGH COURT OF JAMMU AND KASHMIR AT JAMMU**  
(Exercising powers of Bar Council under section 58 of the  
Advocates Act, 1961).

Notification

No. 1424 Dated 22-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Imtiaz Ahmed S/o Khadam Hussain R/o Village Noora, Bandi, Tehsil Haveli, District Poonch vide Notification No. 725 dated 30-12-2015 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1425 Dated 22-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Shugufta Nabi D/o Ghulam Nabi Malik R/o Duderhama, Tehsil and District Ganderbal vide Notification No. 384 dated 05-10-2015 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1426 Dated 22-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Suman Bhagat D/o Shri Jaginder Lal Bhagat R/o H. No. 2, Ward No. 11, Kabir Nagar, Bari-Brahmana, Samba vide Notification No. 1164 dated 23-02-2015 for a period of one year has been extended till

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23-06-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1427 Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Fozia Bano D/o Noor-ud-Din R/o Village Dhar, Tehsil and District Doda vide Notification No. 30 dated 18-04-2015 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1428 Dated 23-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Asif Abdullah Wani S/o Late Mohammad Abdullah R/o Al Mustafa Colony, Opposite JKAP, N. H. Khaja Bagh, Baramulla vide Notification No. 912 dated 23-12-2014 for a period of one year has been extended till 23-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1429 Dated 23-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Karan Sharma S/o Kidar Sharma R/o H. No. 258, Mast Garh,

Jammu (P/S, Peermitha) vide Notification No. 1041 dated 28-12-2011 for a period of one year has been extended till 28-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1429/A Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nooreen Zahoor D/o Zahoor Ahmad Bhat R/o Azad Gunj Near Gulmar Park, Gulshan Abad, Baramulla vide Notification No. 178 dated 27-05-2015 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1431 Dated 28-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Ishtiaq Noor Khan S/o Noor Mohd. Khan R/o Sherkhan Mohalla, Ranbirpora, District Anantnag vide Notification No. 795 dated 16-12-2013 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1432 Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Shazia Manzoor D/o Syed Manzoor Ahmad R/o Kunnel, Qaziabad, Tehsil Handwara, District Kupwara vide Notification No. 230 dated 22-07-2013 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1433 Dated 23-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Sajad Bashir S/o Bashir Ahmad Ahanger R/o Malik Mohalla, Shopian vide Notification No. 871 dated 09-01-2014 for a period of one year has been extended till 09-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1433-A Dated 25-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Ajaz Afzal Lone S/o Mohammad Afzal Lone R/o Rehmatabad, Rafiabad (Thaggund) Rohama, Baramulla vide Notification No. 725 dated 14-11-2014 for a period of one year has been extended till 14-11-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1434 Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Basharat Abdullah S/o Gulam Mohammad Thoker R/o Sindoo, Shirmal, Shopian vide Notification No. 28 dated 10-04-2013 has been declared as absolute/final, after condonation of delay.

By order.

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No. 1434-A Dated 25-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Sumairah Imtiyaz D/o Imtiyaz Ahmad Shah R/o Taing Mohalla Near Jamia Masjid Road, Shopian vide Notification No. 488 dated 05-09-2013 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1435 Dated 25-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Showkat Ahmad Dar S/o Habibullah Dar R/o Cherakoot, Lolab, Kupwara A/P Muslim Abad, Tengpora, Srinagar vide Notification No. 723 dated 30-12-2015 for a period of one year has been extended till 30-06-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

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The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1435-A Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Adil Hussain Mir S/o Jan Mohd. Mir R/o Mir Mohalla, Near Nag Masjid, Bandipora vide Notification No. 254 dated 23-07-2013 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1436 Dated 25-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Farhat Naz D/o Kabir-ud-Din R/o Sangla, Tehsil Surankote, District Poonch vide Notification No. 744 dated 15-11-2014 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1436-A Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Umesa Sultan D/o Mohammad Sultan Pampori R/o 110/1, Shiel Teingh, Tehsil Habba Kadal, Srinagar vide Notification No. 267 dated 16-07-2015 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1437 Dated 25-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Shaheryar S/o Bashir Ahmad Agoo R/o 107, Khalid Abad, Baghat Barzulla, Srinagar vide Notification No. 376 dated 05-10-2015 for a period of one year has been extended till 05-10-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1437-A Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Suhaib Farooq Bandey S/o Farooq Ahmed Bandey R/o W. No. 15, Chowk Bazar Near Masjid, Tehsil Haveli, District Poonch vide Notification No. 1170 dated 24-02-2015 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1438 Dated 25-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Syed Jahangir Zaffar S/o Syed Zaffar Ahmad Geelani R/o Kunnal Qaziabad, Geelani Mohalla, Handwara, Kupwara vide Notification No. 731 dated 14-11-2014 for a period of one year has been extended till 16-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1438-A Dated 23-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Sameer Ul Hamid S/o Kh. Abdul Hamid Dar R/o Barbar Shah, Baghwan Pora, Srinagar vide Notification No. 567 dated 15-10-2014 for a period of one year has been extended till 15-10-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1439 Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Manmeet Singh S/o Nirander Singh R/o Old Airport Road, Rangrate, Tehsil and District Budgam vide Notification No. 1133 dated 23-02-2015 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1439-A Dated 28-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Ab. Majeed Sofi S/o Mohd. Abdullah Sofi R/o Arampora, Ward No. 1, District Kupwara vide Notification No. 500

dated 13-10-2014 for a period of one year has been extended till 13-10-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1440 Dated 25-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nazli Rasool D/o Hakim Gh. Rasool R/o Hakim Mohalla, Gopalpora, Kulgam vide Notification No. 723 dated 14-11-2014 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1440-A Dated 23-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Zamerulla Nabi D/o Gulam Nabi Mir R/o Littar Shister, Pulwama (A/P), Block-E, Quater No. 5, Police Complex, Channi Himmat, Jammu vide Notification No. 827 dated 02-03-2013 for a period of one year has been extended till 02-06-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

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Notification

No. 1441 Dated 25-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ravi Kumar S/o Ram Lal Sharma R/o Ward No. 2, Nowshera, District Rajouri vide Notification No. 932 dated 23-12-2014 has been declared as absolute/final, after condonation of delay.

By order.

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Notification

No. 1441-A Dated 23-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ovais Ahmad Bhat S/o Gh. Mohd. Bhat R/o Sheikh Mohalla, Karhama, Street Ogmuna Road, District Baramulla vide Notification No. 324 dated 06-06-2016 has been declared as absolute/final, after condonation of delay.

By order.

(Sd.) MOHAMMAD YASIN BEIGH,  
Joint Registrar (Admn.).

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**HIGH COURT OF JAMMU AND KASHMIR AT JAMMU**  
(Office of the Registrar General at Jammu).

Notification

No. 30 NG Dated 11-04-2018.

It is hereby notified for information of all concerned that the High Court of Jammu and Kashmir and the Courts Subordinate to it, shall function for the Summer Session-2018, with effect from 1st May, 2018, as per the time schedule, notified hereunder :—

**Office Hours :**

1. High Court Wing, Srinagar	10.00 A. M. to 05.00 P. M.
2. High Court Wing, Jammu	08.00 A. M. to 02.00 P. M.

**Court Hours :**

1. High Court Wing, Srinagar	10.30 A. M. to 01.00 P. M.
	02.00 P. M. to 04.30 P. M.
2. High Court Wing, Jammu	08.30 A. M. to 10.30 A. M.
	11.00 A. M. to 01.30 P. M.

**Office Timing of Subordinate Courts at Jammu/Srinagar :—**

- (a) Subordinate Courts of Jammu Province 08.00 A. M. to 01.30 P. M. (except Courts located at Kishtwar, Batote, Banihal, Gool, Bani, Ukhral and in the Judicial District Bhaderwah) ;
- (b) Subordinate Courts of Kashmir Province 10.00 A. M. to 04.30 P. M. and Courts located at Kishtwar, Batote, Banihal, Gool, Bani, Ukhral and in the Judicial District Bhaderwah.

By order.

(Sd.) SANJAY DHAR,  
Registrar General



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 41-Rev (LAK) of 2018

Dated 31-01-2018.

Whereas, Administrative Department vide Notification No. 393 Rev(LAK) of 2017 dated 23-08-2017 has issued declaration under sections 6 & 7 of the Land Acquisition Act for land measuring 279 Kanals, 18½ Marlas situated in Village Mirgund, Tehsil Pattan, District Baramulla for construction of Semi Ring Road by NHAI ;

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Whereas, Divisional Commissioner, Kashmir vide No. Div Com/LAS-Acq/3176/3689 dated 02-01-2018 has reported that GM(Tech) PD National Highway Authority of India, PIU, Srinagar has expressed urgency for completion of land acquisition process for the project.

Now, therefore, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Mirgund, Tehsil Pattan, District Baramulla required for public purpose, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 51-Rev (LAK) of 2018

Dated 08-02-2018.

Whereas, Administrative Department vide Notification No. 392 Rev(LAK) of 2017 dated 23-08-2017 has issued declaration under sections 6 & 7 of the Land Acquisition Act for land measuring 202 Kanals, 09 Marlas and 239 Sft. situated in Village Khanda, Tehsil B. K. Pora, District Budgam for construction of Semi Ring Road by NHAI ;

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Whereas, Divisional Commissioner, Kashmir vide No. Div. Com/LAS-Acq/3176/3689 dated 02-01-2018 has reported that Project Director, NHAI has expressed urgency for completion of land acquisition process for the project.

Now, therefore, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Khanda, Tehsil B. K. Pora, District Budgam required for public purpose, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 92-Rev (LAJ) of 2018

Dated 16-02-2018.

Whereas, the land specifications whereof are given at “Annexure-A” to this notification is required for public purpose viz. for construction of Kantha Morh to Dalwah Budhan Road under PWD in Village Dalwah, Tehsil Gool, District Ramban ;

Whereas, on the basis of indent placed by Executive Engineer, PWD Division vide No. 15546-51 dated 09-03-2012, a notification

under section 4 (1) was issued by Collector, Land Acquisition (SDM), Gool vide No. 276-286/SDM/G/PWD dated 29-03-2017 for land measuring 143 Kanals 05 Marlas situated at Village Dalwah, Tehsil Gool, District Ramban ;

Whereas, the Collector, Land Acquisition (SDM), Gool vide No. SDM/G/PWD/232-37 dated 16-08-2017 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Gool vide above referred letter duly endorsed by District Collector (DC), Ramban vide No. DCJ/LA/Rbn/117-19 dated 06-01-2018 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars referred above is required for public purpose viz. for construction of Kantha Morh to Dalwah Budhan Road under PWD in Village Dalwah, Tehsil Gool, District Ramban.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 143 Kanals 05 Marlas situated at Village Dalwah, Tehsil Gool, District Ramban, particulars whereof are given above at "Annexure-A" is required for public purposes viz. for construction of Kantha Morh to Dalwah Budhan Road under PWD in Village Dalwah, Tehsil Gool, District Ramban. Further, the Collector, Land Acquisition (SDM), Gool is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication

of the notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Dalwah, Tehsil Gool, District Ramban required for public purposes, subject the fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

**Annexure-‘A’**

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
K. M.				
Ramban	Gool	Dalwah	401	min 01-16
			401	min 00-07
			401	min 00-06
			401	min 00-08
			402	min 00-08
			402	min 01-06
			402	00-16
			400	min 00-05
			400	min 01-05

1	2	3	4	5
				K. M.
	410	min	04-10	
	848/605/409		03-12	
	411	min	00-10	
	415	min	01-18	
	415	min	00-02	
	415	min	00-02	
	415	min	02-15	
	421	min	01-17	
	421	min	00-01	
	421	min	00-10	
	421	min	00-02	
	421	min	00-05	
	421	min	02-01	
	421	min	00-17	
	408		00-06	
	419	min	00-11	
	419	min	00-16	
	419	min	00-14	
	419	min	02-04	
	419	min	01-14	
	767/585/328		03-17	
	767/585/328		00-15	
	426		05-16	
	426	min	00-07	
	424	min	00-03	

1	2	3	4	5
K. M.				
	424	min	01–02	
	424	min	01–07	
	424	min	00–18	
	602/409	min	02–15	
	602/409	min	00–06	
	602/409	min	00–06	
	602/409	min	00–07	
	602/409	min	01–01	
	602/409	min	05–18	
	604/409	min	01–07	
	604/409	min	01–17	
	604/409	min	00–04	
	330	min	02–08	
	603/409	min	04–02	
	603/409	min	01–16	
	603/409	min	00–04	
	603/409	min	00–04	
	603/409	min	01–01	
	334	min	02–12	
	385	min	02–12	
	335	min	02–18	
	335	min	00–09	
	334	min	00–09	
	334	min	00–03	
	336	min	02–00	

1	2	3	4	5
				K. M.
336	min	01–03		
336	min	01–17		
338	min	00–14		
339	min	00–13		
339	min	01–08		
339	min	00–15		
355	min	00–12		
355	min	00–08		
355	min	00–03		
355	min	00–11		
355	min	01–03		
304	min	00–11		
306	min	02–07		
307	min	04–19		
207	min	00–02		
207	min	02–03		
207	min	02–01		
207	min	00–08		
208	min	01–04		
208	min	03–10		
254	min	00–15		
247	min	00–16		
247	min	01–10		
243	min	01–17		
238	min	00–04		

1	2	3	4	5
K. M.				
	238	min	01-12	
	259	min	00-12	
	238	min	00-10	
	238	min	01-19	
	259	min	00-12	
	259	min	00-11	
	260	min	01-07	
	260	min	00-17	
	261	min	01-13	
	289	min	01-02	
	289	min	03-03	
	282	min	01-06	
	282	min	00-14	
	282	min	00-15	
	282	min	01-05	
	282	min	00-04	
	283	min	01-01	
	283	min	01-13	
	281	min	02-13	
	524/513	min	03-15	
	623/513	min	02-19	
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	Total			
	143-05			
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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 93-Rev (LAJ) of 2018

Dated 16-02-2018.

Whereas, the land specification whereof are given below is required for public purposes viz. for construction of Gatha to Dhalwali Road in Village Gatha, Tehsil Bhaderwah, District Doda ;

Particulars of land

District	Tehsil	Village	Khasra Nos.	Area K. M.
Doda	Bhaderwah	Gatha	2640	min 02-15
			2640	min 01-15
			2640	min 04-00
			2640	min 00-18
			2640	min 01-01
			2641	min 04-02
			2648	min 00-15
			2648	min 01-08
				-----
			Total	16-04
				-----

Whereas, on the basis of an indent prepared by Executive Engineer, PMGSY Division, Bhaderwah vide No. 149-50 dated 21-04-2010 duly endorsed by Chief Engineer, PMGSY (JKRRDA), Jammu vide No. CE/PMGSY/J/14727-29 dated 22-09-2017, a notification under section

4 (1) was issued by Collector, Land Acquisition (SDM), Bhaderwah vide No. 616-22/LAC/12 dated 17-07-2012 for land measuring 16 Kanals and 04 Marlas situated in Village Gatha, Tehsil Bhaderwah, District Doda ;

Whereas, the Collector, Land Acquisition (ADC), Bhaderwah vide his letter No. ADC/LAC/16-17/479-80 dated 08-11-2017 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by the Collector, Land Acquisition (ADC), Bhaderwah vide above referred letter duly endorsed by District Collector (DC), Doda vide No. 416/LAC/D/17 dated 24-11-2017 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. construction of Gatha to Dhalwali Road in Village Gatha, Tehsil Bhaderwah, District Doda.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 16 Kanals 04 Marlas situated in Village Gatha, Tehsil Bhaderwah, District Doda, particulars whereof are given above is required for public purposes viz. for construction of Gatha to Dhalwali Road in Village Gatha, Tehsil Bhaderwah, District Doda. Further, the Collector, Land Acquisition (ADC), Bhaderwah is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved

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in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 94-Rev (LAJ) of 2018

Dated 16-02-2018.

Whereas, the land specifications whereof are given in “Annexure-A” to this notification is required for public purpose viz. for construction of Road from Gaggar to Bhimdassa in Village Dharam, Tehsil Gool, District Ramban under PMGSY ;

Whereas, on the basis of an indent placed by Executive Engineer, PMGSY Division, Ramban vide No. PMGSY/D/R/500-503 dated 06-08-2009, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Gool vide No. 26-35/SDM/G dated 13-06-2016 for land measuring 51 Kanals and 07 Marlas situated in Village Dharam, Tehsil Gool, District Ramban ;

Whereas, the Collector, Land Acquisition (SDM), Gool vide No. 126-31/SDM/G/PMGSY dated 30-05-2017 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Gool vide No. referred above duly endorsed by Deputy Commissioner, Ramban vide No. DC/LA/Rbn/129-31 dated 06-01-2018 has been

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examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given in “Annexure-A” to this notification is required for public purpose viz. for construction of Road from Gaggar to Bhimdassa in Village Dharam, Tehsil Gool, District Ramban under PMGSY.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 51 Kanals 07 Marlas situated in Village Dharam, Tehsil Gool, District Ramban, particulars whereof are given in “Annexure-A” to this notification is required for public purposes viz. for construction of Road from Gaggar to Bhimdassa in Village Dharam, Tehsil Gool, District Ramban under PMGSY. Further, the Collector, Land Acquisition (SDM), Gool is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Now in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9(2) of the said Act, the Collector will take possession of the aforementioned land in Village Dharam, Tehsil Gool, District Ramban required for public purpose, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules ;

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,

Commissioner/Secretary to the Government,  
Revenue Department.

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**Annexure-‘A’**

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
K. M.				
Ramban	Gool	Dharam	1779/1700	01–16
			1779/1700	02–09
			2560/1907/1137/1	02–02
			2560/1907/1137/1	02–00
			2560/1907/1137/1	01–12
			1779/1700	01–07
			1779/1700	03–01
			1779/1700	00–14
			1779/1700	00–14
			1586/1137/3	05–02
			1777/1691	00–14
			1777/1691	07–05
			1777/1691	02–05
			1777/1691	00–14
			1777/1691	00–14
			1777/1691	01–02
			1777/1691	01–02
			1777/1691	00–09
			1777/1691	00–18
			1777/1691	01–07

1	2	3	4	5
			K. M.	
	1777/1691	00-09		
	1777/1691	01-09		
	1777/1691	01-07		
	1777/1691	01-08		
	1777/1691	00-18		
	1777/1691	01-14		
	1777/1691	03-18		
	1777/1691	02-17		
			-----	
	Total	51-07		
			-----	

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 95-Rev (LAJ) of 2018

Dated 16-02-2018.

Whereas, the land specification whereof are given in “Annexure-A” to this notification is required for public purpose viz. for construction of Gool to Gundi Gaggarsulla Road under PMGSY in Village Gundi, Tehsil Gool, District Ramban ;

Whereas, on the basis of an indent placed by Executive Engineer, PMGSY Division, Ramban vide No. PMGSY/D/R/118-22 dated 26-04-2017, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Gool vide No. SDM/G/PMGSY/126-35 dated 04-05-2017 for land measuring 51 Kanals and 04 Marlas situated in Village Gundi, Tehsil Gool, District Ramban ;

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Whereas, the Collector, Land Acquisition (SDM), Gool vide No. SDM/G/PWD/194-99 dated 10-07-2017 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Gool vide above referred letter duly endorsed by District Collector (DC), Ramban vide No. DCJ/LA/Rbn/108-10 dated 06-01-2018 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars referred above is required for public purpose viz. for construction of Gool to Gundi Gaggarsulla Road under PMGSY in Village Gundi, Tehsil Gool, District Ramban.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 51 Kanals 04 Marlas situated at Village Gundi, Tehsil Gool, District Ramban, particulars whereof are given above at "Annexure-A" is required for public purposes viz. for construction of Gool to Gundi Gaggarsulla Road under PMGSY in Village Gundi, Tehsil Gool, District Ramban. Further, the Collector, Land Acquisition (SDM), Gool is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the notification under section 9(2) of the said Act, the Collector will take possession of the aforementioned land in Village Gundi, Tehsil Gool, District Ramban required for public purposes, subject the fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

**Annexure-‘A’**

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
Ramban	Gool	Gundi	487/216	K. M. 00-03
			487/216	02-08
			487/216	02-01
			487/216	01-15
			487/216	01-08
			430/216	00-16
			430/216	01-00
			430/216	00-14
			487/216	00-04
			487/216	00-03
			430/216	00-08
			236	00-05
			237	01-08
			237	01-02

1	2	3	4	5
				K. M.
	236		02-02	
	235		01-13	
	234		02-15	
	245		01-09	
	245		01-08	
	248		02-10	
	250		00-18	
	251		02-00	
	251		00-08	
	251		02-11	
	254		01-06	
	254		00-18	
	487/216		02-13	
	487/216		02-18	
	487/216		01-05	
	487/216		02-18	
	633/349		01-13	
	487/216		02-13	
	487/418		00-18	
	486/418		01-05	
	421/416		01-08	
			-----	
		Total	51-04	
			-----	



**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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**PART II—A**

**Orders by Heads of Departments.**

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**CHARGE REPORTS**

Subject :—Assumption of Charge.

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In pursuance to Government Order No. 558-GAD of 2018 dated 04-04-2018, issued by the General Administration Department under endorsement No. GAD (Ser) Genl/204/2009 dated 04-04-2018, I, Shamim Ahmad Laherwal hereby assume the charge of the post of Secretary (Technical), Co-operatives Department today on 4th of April, 2018 (AN).

(Sd.) SHAMIM AHMAD LAHERWAL,

Secretary (Technical),  
Co-operatives Department.

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In pursuance to Government Order No. 475-GAD of 2018 dated 20-03-2018, we, the following officers have handed over/taken over the charge of Deputy Commissioner, Samba today on 23rd March, 2018 AN.

(Sd.) SHEETAL NANDA, IAS,  
Deputy Commissioner, Samba.  
Relieved Officer.

(Sd.) RAJINDER SINGH TARA, KAS,  
Deputy Commissioner, Samba.  
Relieving Officer.



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**PART II—B**

**Notifications, Notices and Orders by Heads of Departments.**

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**THE J&K BOARD OF PROFESSIONAL ENTRANCE  
EXAMINATIONS (BOPEE)**

Subject :—NEET PG, 2018 online registration of eligible candidates for preparation of Provisional State Merit List.

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Public Notice No. 006-BOPEE of 2018.

Dated 03–02–2018

In continuation of Public Notice No. 76-BOPEE of 2017 dated 02–11–2017, vide which cut off date of eligibility etc. was notified for the NEET P G aspiring candidates, it is hereby further notified that in order to enable the Board to update biodata of the candidates, who have qualified the NEET PG examination, 2018 and to prepare the Provisional State Merit List it has been decided to seek online registration of such

candidates. The candidates who have qualified the NEET PG Examination shall be required to do as under :—

- (1) Register themselves online from the dates as may be notified by the Board, on the BOPEE website [www.jkbopee.gov.in/](http://www.jkbopee.gov.in/) [www.jakbopee.org](http://www.jakbopee.org) ;
- (2) The candidates, who have appeared in the examination and have qualified the same as per the cut off score fixed by the National Board of Examination shall be eligible for online registration ;
- (3) The candidates shall be required to upload scanned copies of original documents also for verification by the Board and for determination of eligibility ;
- (4) The cut off date for issuance of category certificates (SC,ST,RBA, ALC, OSC) shall be the last date of filling up of the Application Forms for appearing in the NEET examination viz. 27–11–2017. However, in case of expiry of any certificate after filling up of NEET Application Form, the same should have been renewed while filling up of the registration form. The candidates belonging to RBA, ALC, OSC, SC and ST, who have not indicated the category while filling up of the online application form for taking admission under NBE as such a provision was not available during online filling up of forms shall be eligible to update their category status and are required to upload the valid category certificate as above in this regard. However, category certificate issued after 27–11–2017 shall not be entertained and such candidates shall be treated as OM candidates, if otherwise eligible under OM. The certificates valid up to 27–11–2017 but renewed on or before last date of registration shall be treated as valid ;
- (5) Such candidates who figure in Open Merit as per the NEET result but belong to the above categories having scored the minimum qualifying marks fixed by the National Board of Examinations for these categories (SC/ST/OBC) shall be eligible to participate in the online registration process. The candidates belonging to Children of Defence Personnel, Paramilitary Forces, State Police Personnel shall be required to upload the certificate

issued by the Competent Authority on the prescribed proforma as per SRO-294 of 2005. The eligibility of the candidates possessing outstanding performance in the sports shall be determined only after scrutiny of the list submitted by the Secretary, Sports Council as received by the Board. However, they may choose their category during online registration and upload supporting document also which shall be purely provisional and subject to the recommendations of the Sports Council only made in accordance with the relevant rules ;

- (6) The candidates belonging to CDP, JKPM and SP shall be required to have obtained such qualifying marks as are otherwise prescribed for OM candidates ;
- (7) The candidates belonging to difficult areas/remote as eligible under SRO-48 of 2018 dated 30-01-2018 shall be required to submit the certificates with full details from the designated competent authority of the Health and Medical Education Department, indicating all the relevant details. Such certificates should clearly indicate the date from which worked, place whether figures in SRO-201 of 2006 and all such other information to facilitate the Board to work out the details etc. The period of having worked in difficult area shall be considered only up to 27-11-2017 for determination of the eligibility in accordance with the rules ;
- (8) The candidates who have qualified the NEET, 2018 shall be required to be eligible for registration/counselling only if they have completed the rotatory internship period or shall complete the same up to 31-03-2018 ;
- (9) After making necessary entries in the records/updating the same, BOPEE shall draw the Provisional State Merit List out of the merit list provided by the NBE ;
- (10) As the allotment of seats is to be made on the basis of merit-cum preference, the candidates shall be required to fill in online preference forms for the seats and colleges, for which the time frame, with detailed procedures shall be notified separately.

**Note :—**

1. Mere registration of the candidates shall not make any candidate eligible for consideration to be included in the Provisional State Merit List, which shall be based on the eligibility in accordance with the rules ;
2. Notwithstanding the above online registration, the Board may, if it feels expedient to do so, ask any candidate to produce any and/or all documents in original before the Board for further scrutiny ;
3. The candidates, who are permanent resident of J & K as per section 6 of Jammu and Kashmir Constitution but have appeared in the NEET Examination from outside the State being temporary domicile of that State shall have to deposit their biodata including the NEET Testing ID, Score Card and State Subject in the Board within three days from the date of issue of this Notice, so that their cases are considered on merits and decision taken to either allow or dis-allow them to participate in the process of registration. Such candidates shall also submit an affidavit to the effect that they are not competing for 15% All India Quota ;
4. The cut off date for eligibility for issuance of category certificates as notified in Notice No. 76-BOPEE of 2017 dated 02-11-2017 is 27-11-2017 and no certificate issued after the said date shall be entertained. No under process certificates shall be entertained under any circumstances. However, valid category certificates up to 27-11-2017 renewed up to the last date of registration shall be entertained ;
5. The candidates, during the registration process should carefully go through any e-mail/SMS being sent by BOPEE and received by them and take immediate necessary action as may so be required/advised. The decision of the Board in determination of the eligibility shall be final. Any information furnished by the candidate if proved to be false at any stage of admission shall make such candidate(s) liable to be disqualified and for further participation in the admission process ;

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6. Board does not encourage visit of the candidates to the office, therefore, any clarification required should be sought by them through the e-Mail address of the Controller of Examinations viz. coejakbopeeblg59@gmail.com/ helpdeskjakbopee@gmail.com. However, only such requests shall be entertained and responded which have not been clarified in the Information Brochure, which is being uploaded in due course of time ;
7. The eligibility of candidates shall be determined in accordance with the rules, including the amendments carried out by the State Government in the reservation rules/other rules vide SRO-48 of 2018 and SRO-49 of 2018 dated 30-01-2018 and any other amendment as may be carried out till the issuance of the Information Brochure ;
8. The list of documents to be uploaded during the registration process shall be available on the BOPEE website [www.jkbopee.gov.in/www.jakbopee.org](http://www.jkbopee.gov.in/www.jakbopee.org). in due course of time ;
9. The candidates are advised to remain in touch with the BOPEE website for any updation.

(Sd.) .....

Under Secretary  
J&K BOPEE.

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OFFICE OF THE COLLECTOR, LAND ACQUISITION  
(ASSTT. COMMISSIONER, REVENUE), KISHTWAR.

Notification

In exercise of the powers conferred upon me under sub-section (1) of section 4 of the J&K State Land Acquisition Act, I, Mohd. Syed Khan, (KAS), Asstt. Commissioner, Revenue, Kishtwar do hereby notify the land, the particulars of which are given below and is likely to be needed for public purpose i. e construction of Link Road from Shiv Nagar to Sranwan Village Pakalan.

The interested persons if any, with respect to the acquisition of land may file objections in my office within 15 days from the date of issuance of this notification. In pursuance of your objections, if any you will be heard on.....

Particulars of land

District	Tehsil	Village	Khasra No.	Area	K. M.
Kishtwar	Kishtwar	Pakalan	687/681/419 min	04-19	
			687/681/419 min	01-12	
			687/681/419 min	00-11	
			686/681/419 min	00-12	
			367	00-12	
			367	01-08	
			370	00-11	
			693/369	02-13	
			694/369	00-16	
			694/369	00-16	
			694/369 min	00-16	
			439/398	00-17	
			399	02-05	
			389	01-15	
			389	00-08	
			Grand Total	20-11	

(Sd.) MOHD. SYED KHAN, KAS,  
Collector, Land Acquisition,  
(Asstt. Commissioner, Revenue),  
Kishtwar.

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IN THE COURT OF MUNSIFF, JMIC, UDHAMPUR.

Present :—Sh. Junaid I. Mir

State through P/S, Rehmbal      V/s.      Nemo

Complaint under section 523 Cr. P. C.

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Proclamation

Whereas, a vehicle bearing Engine No. 475IDT15ERZP63659 and Chassis No. 605121ERZ-P70018 and registration No. CH04E/9444 (Indica) coloured body which was parked on the side of Road at NHW near Kali Mata Mandir Tikri has been seized by the Police of P/P, Tikri during patrolling duty on 07–12–2016 in exercise of Powers under section 550 Cr. P. C ;

Whereas, proceedings under section 523 Cr. P. C. In respect of the above said seized vehicle are pending in this Court.

Therefore, by virtue of this publication, public in general is informed that if any person has any right or claim over the said property i.e., veh. Indica he/they may appear in person or through a counsel in this court and establish his/their claim within a period of six months from the date of publication of this proclamation, failing which appropriate order for disposal of above said property shall be passed under law.

Given under my hand and seal of this court today on 14–12–2017.

(Sd.) .....

Munsiff, JMIC,  
Udhampur.

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GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE COLLECTOR, LAND ACQUISITION  
(ASSTT. COMMISSIONER, REVENUE), KARGIL.

Notification

In exercise of the powers conferred by section 4(1) of the Jammu and Kashmir Land Acquisition Act, Samvat 1990, I, Barkat

Ali Lone, KAS, Collector, Land Acquisition (Asstt. Commissioner Revenue, Kargil) do hereby notify the land, particulars of which are given below and which is likely to be acquired for public purpose namely for construction of Link Road Naktoo Graveyard to Shinghan Mohallah at Village Baroo.

Objections, if any, from the interested persons or any person with regard to the acquisition of below mentioned land can be filed in the office of the undersigned within 15 days of issuance of this notification :—

Particulars of land				
District	Tehsil	Village	Khasra No.	Area
Kargil	Kargil	Baroo	542 min	K. M. 00-04
			560 min	00-06
			556 min	00-04
			-----	-----
			Grand Total	00-14
				-----

Objection filed after expiry of 15 days period will not be entertained at any cost.

(Sd.) .....

(Asstt. Commissioner, Revenue),  
Collector, Land Acquisition,  
Kargil.

Notice

I, Naik Ashish Mondal No. 2695253F S/o Narayan Chander Mondal C/o 24 GDRS applying for correction of my name, my child's name and my wife's name which have been wrongly written in the School record of my child. The correct names are Raj Mondal S/o Ashish Mondal and my wife's name is Kabita Mondal instead of Raj Mondal S/o Ashish Mondal and my wife name Kabita Mondal. Now correct sur-name is Mondal instead of Mandal. Objection, if any, may be conveyed to concerned authority in 7 days of this notice.



## THE JAMMU AND KASHMIR GOVERNMENT GAZETTE

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### ADVERTISEMENTS—C

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GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE GENERAL MANAGER, GOVERNMENT  
PRESS, SRINAGAR.

e-Tender Notice No. 02 of 2018

Dated 15-05-2018.

(e-Procurement of Press Material)

For and on behalf of the Governor of Jammu and Kashmir, e-Tenders in two cover system affixed with revenue stamps worth Rs. 6/- are invited from manufacturers, authorized dealers, registered firms/suppliers for the purchase of Press Material Items annexed to this tender notice with specifications in the schedule forming part of terms and conditions of this NIT. The e-Tender Notice can be downloaded/ accessed on [www.jktenders.gov.in](http://www.jktenders.gov.in) :—

01 Date of issue of Tender Notice	16-05-2018
02 Period of downloading of documents	17-05-2018 (11.00 A. M.) to 18-06-2018

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03 Bid submission start date	17-05-2018 (10.00 A. M.)
04 Bid submission end date	19-06-2018 (4.00 P. M.)
05 Last date for receiving hard copy of (original tender fee and earnest money in the prescribed form)	21-06-2018 (4.00 P. M.)
06 Date and time of opening of technical/financial bids	22-06-2018 (11.00 A. M.)
07 Sale of tender form against DD (Non-refundable) of Rs. 500 to all firm including registered SSI Units pledged to Accounts Officer, Govt. Press, Srinagar	16-05-2018 to 18-06-2018 (4.00 P. M.)
08 Earnest Money	Rs. 10,000/- or equivalent to 2% of their tendered value subject to minimum of Rs. 8,000/-. However, the registered SSI Units are required to furnish 50% of the prescribed earnest money.

The uploaded bids on the website will be opened as per above schedule in the Office of the General Manager (Convener), Unit Purchase Committee, Government Press, Srinagar in presence of bidders who wish to attend. In case of holiday on the date of opening of bid, bids will be opened on the next working day and will be communicated accordingly to the bidders through e-mail or telephonically.

(Sd.) AIJAZ AHMAD AKHOON,  
General Manager.



رجسٹر ڈنبر جے کے - 33

# جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 131 - سرینگر - مورخہ 31 مئی 2018ء مطابق 10 جیسٹھا 1940 ویریوار نمبر 9

## إشتہارات

از عدالت ایڈیشنل منصف جوڈیشل میسٹریٹ درجہ اول سانبہ

سرکار بنام بھاگ علی وغیرہ

پرچہ علت نمبر 27 سال 2016ء

بجرائم زید فعات: 307/433/332/353/201/147/148/149RPC

4/25 A.Act.

وارنٹ گشتی عام زید فعات 512 ضابطہ فوجداری  
بخلاف ملزم : الصرد

### حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزوم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزوم کی دستیابی نہ ہونی ہے اور وارنٹ ہذا پر تعییل آئی ہے کہ ملزوم قکان علی ولد جنگ علی ساکنہ سروراڑہ بسی چاڑکاں تحقیص بڑی براہمناں ضلع سانبہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزوم کی دستیابی بطرق آسانی مشکل ہے۔ لہذا ملزوم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزوم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔  
وارنٹ گشتی عام تا دستیابی ملزوم زیر کار رہے گا۔

پرچہ علت نمبر 27 سال 2016ء

سرکار بنام بھاگ علی وغیرہ

بجھم زیر دفعات : 307/433/332/353/201/147/148/149 RPC

4/25 A. Act.

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزوم : الصدر

### حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزوم کو بارہا بذریعہ وارنٹ گرفتاری بلاضمنی طلب کیا گیا ہے۔ الملزوم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعییں آئی ہے کہ ملزوم جنگیر حسین عرف مگاولدہ ہاسم دین ساکنہ مل سروراڑہ بی چاڑ کاں تحصیل بڑی بر اہمناں ضلع سانبہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزوم کی دستیابی بطریق آسانی مشکل ہے۔ لہذا ملزوم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر حکم و اختیار دیا جاتا ہے کہ ملزوم متنزکرہ بالا جہاں کہیں بھی اندر حدود ریاست کو دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔  
وارنٹ گشتی عام تا دستیابی ملزوم زیر کار رہے گا۔

سرکار بنام بھاگ علی وغیرہ

علت نمبر 27 سال 2016ء

بجرائم زیر دفعات : 307/433/332/353/201/147/148/149 RPC

4/25 A.Act.

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزوم : الصدر

### حکم بنام : اہلکار ان پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزوم کو بارہا بذریعہ وارنٹ گرفتاری بلاضمنی طلب کیا گیا ہے۔ لا ملزوم کی دستیابی نہ ہونی ہے اور وارنٹ ہذا پر تعییل آئی ہے کہ ملزوم بشیر احمد ولد قاسم دین سا کنه حال سروراڑہ تھصیل بڑی براہمناں ضلع سانبہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزوم کی دستیابی بطریق آسانی مشکل ہے۔ لہذا ملزوم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکار ان پولیس ریاست جموں و کشمیر کو حکم اختیار دیا جاتا ہے کہ ملزوم متنزہ کرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ گشتنی عام تا دستیابی ملزوم زیر کار رہے گا۔

سرکار بنام بھاگ علی وغیرہ

پرچہ علت نمبر 27 سال 2016ء

بجرا کم زیر دفعات : 307/433/332/353/201/147/148/149/ RPC

4/25 A.Act.

وارنٹ گشتنی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزوم : الصدر

### حکم بنام : اہلکاران پولیس ریاست ہموں و کشمیر

معاملہ مندرجہ عنوان اُل صدر میں مُلزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا مُلزم کی دستیابی نہ ہونی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ مُلزم ذا کر حسین ولد قاسم علی ساکنہ حال سرور اڈہ تھیصل بڑی براہمناں ضلع سانبہ گھر سے فرار اور روپوش ہو گیا ہے جس سے مُلزم کی دستیابی بطريق آسانی مشکل ہے۔ لہذا مُلزم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکاران پولیس ریاست ہموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ مُلزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ گشتنی عام تا دستیابی ملزم زیر کار رہے گا۔

سرکار بنام بھاگ علی وغیرہ

پرچہ علت نمبر 27 سال 2016ء

مُل نمبر 147/چالان تاریخ 05-05-2017ء تاریخ آئینہ پیشی/فیصلہ 17-5-18

بجراں زیر دفعہ : 307/433/332/353/201/147/148/149 RPC

4/25 Act.

وارنٹ گشتنی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری  
بخلاف ملزم: رشید محمد ولد مکھن دین ساکنہ حال سرور اڈہ بسی چاڑکاں

### تحصیل بڑی براہمناں ضلع سانبھ

حکم بنام : تمام اہلکاران پولیس ریاست جموں و شمیر  
مقدمہ مندرجہ عنوان الصدر میں بذریعہ وارنٹ ہذا آپ کو حکم و اختیار  
دیا جاتا ہے کہ آپ ملزم مذکورہ کو جہاں کہیں بھی اندر حدود ریاست جموں و شمیر  
دستیاب ہو گرفتار کر کے رُو بُر وعدالت مجاز پیش کیا جائے۔ وارنٹ ہذا تا دستیابی  
ملزم زیر کار رہیگا۔

آن باترخ 08 مئی سال 2017ء ہمارے دستخط و مہر عدالت سے جاری ہوا۔

سرکار بنام بھاگ علی وغیرہ  
علت نمبر 27 سال 2016ء

بجرائم زیدفعت : 307/433/332/353/201/147/148/149 RPC

4/25 A.Act.

### وارنٹ گشتی گرفتاری عام زیدفعت 512 ضابطہ فوجداری

خلاف ملزم الصدر۔

حکم بنام : اہلکاران پولیس ریاست جموں و شمیر  
معاملہ مندرجہ الصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب  
کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہونی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم

روشن دین ولد قاسم دین ساکنہ حال سرور اڈہ بی چاڑکاں تحصیل بڑی براہمناں ضلع سانبہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔ لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر الہکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ گشتنی عام تا دستیاب ملزم زیر کار رہے گا۔

سرکار بنام بھاگ علی وغیرہ  
علت نمبر 27 سال 2016ء

بجرائم زیر دفعات: 307/433/332/353/201/147/148/149 RPC

4 / 25 A. Act.

## وارنٹ گشتنی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

خلاف ملزم اُصدر۔

حکم بنام: الہکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ لاملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعقیل آئی ہے کہ ملزم شیخ علی عرف کالا ولد شبیر علی ساکنہ حال سرور اڈہ بی چاڑکاں تحصیل بڑی براہمناں ضلع سانبہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی

52۔ جموں و شمیر گورنمنٹ گزٹ نمبر 9 مورخہ 31 مئی 2018ء بطابق 10 حیثیت 1940ء شمیر ج

بطریق آسانی مشکل ہے۔ لہذا ملزوم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکاران پولیس ریاست جمیوں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزوم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ گشتی عام تا دستیابی ملزم زیر کار رہے گا۔

سرکار بنام بھاگ علی وغیرہ  
علت نمبر 27 سال 2016ء

بجرائم زیر دفعات: 307/436/332/353/201/147/148/149 RPC

4/25 A.Act.

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری  
خلاف ملزم الصدر۔

حکم بنام: اہلکاران پولیس ریاست جمیوں و کشمیر

معا ملہ مندرجہ عنوان الصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانت طلب کیا گیا ہے۔ لا ملزم کی دستیابی نہ ہونی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم م گلزار حسین عرف لا لا ولد بشیر احمد ساکنہ حال سرور اڈہ بسی چاڑ کاں خصیل بڑی برائناں ضلع سانبہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ گشتنی عام تا دستیابی ملزم زیر کار رہے گا۔

سرکار بنام بھاگ علی وغیرہ  
علت نمبر 27 سال 2016ء

بجراائم زیر دفعات: 307/436/332/353/201/147/148/149 R.P.C.

4/25 A.Act.

### وارنٹ گشتنی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

خلاف ملزم : الصدر۔

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعقیل آئی ہے کہ ملزم سورم علی عرف شیرو ولد عبدالجید ساکنہ حال سرور اڈہ بسی چاڑکاں تحصیل بڑی برائی میں ضلع سانبہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی

دستیابی بطریق آسانی مشکل ہے۔ لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکاران پولیس ریاست جموں و شمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متنزہ کرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہڈا میں پیش کریں۔

وارنٹ گشتی عام تا دستیابی ملزم زیر رہے گا۔

سرکار بنام بھاگ علی وغیرہ  
علت نمبر 27 سال 2016ء

بجرائم زیر دفعات: 307/433/332/353/201/147/148/149 R PC.

4/25 A.Act.

### وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

خلاف ملزم : الصرد۔

حکم بنام : اہلکاران پولیس ریاست جموں و شمیر  
معاملہ مندرجہ عنوان الصرد میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہونی ہے اور وارنٹ ہڈا پر تعییل آئی ہے کہ ملزم محمد فاروق ولد برکت علی ساکنہ حال سروراڑہ بسی چاڑکاں تحصیل

بڑی براہمناں ضلع سانہبہ گھر سے فرار ہے اور پوچش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔ لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکار ان پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔  
وارنٹ گشٹی عام تا دستیابی ملزم زیر کار رہے گا۔

سرکار بنام بھاگ علی وغیرہ

ملت نمبر 27 سال 2016ء

بجرائم زیر دفعات: 307/433/332/353/201/147/148/149 RPC

4/25 A.Act.

وارنٹ گشٹی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

خلاف ملزم : الصدر۔

حکم بنام : اہلکار ان پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ إلا ملزم کی دستیابی نہ ہونی ہے اور وارنٹ ہذا پر تعقیل آئی ہے کہ ملزم منگت حسین ولد قاسم دین ساکنہ حال سرور اڈہ بسی

56۔ جموں و کشمیر گورنمنٹ کے نمبر 9 مورخہ 31 مئی 2018ء برطائق 10 جیسٹھا 1940ء۔ صیمہ ج

چڑ کاں تھیں بڑی براہمناں ضلع سانہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔ لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا کر اہلکار ان پولیس ریاست بھووں و کشمیر کو حکم اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔  
وارنٹ گشتی عامتاً دستیابی ملزم زیر کار رہے گا۔

دستخط: ایڈیشنل منصف جوڈیشل محسٹریٹ درجہ اول سانہ۔



EXTRAORDINARY

REGD. NO. JK—33



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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART I-B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Judicial Administration Section)

Notification

Jammu, the 27th of March, 2018.

SRO-143.—In exercise of the powers conferred by sub-section (1) of section 3 of the Jammu and Kashmir Juvenile Justice (Care and Protection of Children) Act, 2013, the Government in consultation with the Hon'ble

High Court designate the following Judicial Officers as Principal Magistrates for the Juvenile Justice Boards as shown against each :—

S. No.	Name of the Principal Magistrate	Juvenile Justice Board
S/Shri		
1.	Altaf Hussain Khan, Munsiff, Anantnag	Anantnag
2.	Fayaz Ahmad Qureshi, Munsiff, Baramulla	Baramulla
3.	Parvez Iqbal, Sub-Judge/Special Mobile Magistrate, Srinagar	Srinagar
4.	Meyank Gupta, 3rd Additional Munsiff, Jammu	Jammu
5.	Arun Kumar Kotwal, Sub-Judge/Mobile Magistrate, Bhaderwah	Doda
6.	Nuashad Ahmad Khan, Sub-Judge/Mobile Magistrate, Rajouri	Rajouri
7.	Ms. Spalzes Angmo, Chief Judicial Magistrate, Kargil	Kargil
8.	Tsewang Phuntsog, Munsiff, Nобра	Leh

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,  
Secretary to Government,  
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33



THE

## **JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Vol. 131] Srinagar, Fri., the 11th May, 2018/21st Vai., 1940. [No. 6-13

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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### **PART II—B**

#### **Notifications, Notices and Orders by Heads of Departments.**

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GOVERNMENT OF JAMMU AND KASHMIR,  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
J&K SRINAGAR

Present : Nighat Sultana, District and Sessions Judge (Presiding Officer)

File No. 81/LC/Ref. 2007.

D. O. I. : 06-11-2007.

D. O. D. : 31-08-2017

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In the case of :—ASCOM Employees Welfare Association, Jammu.

(Applicants/Petitioners)

Versus

Trustee Administration, ASCOM and Hospital Sidhra,  
Jammu.

(Non-Applicant/Respondent)

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In the Matter of :— Reference under section 10 (c) of the Industrial Disputes Act, 1947 in above titled Case.

Appearing Council :— For the Petitioners : Authorized Representative.

For the Respondent : Mr. Achal Sharma Ld. Counsel.

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#### AWARD

The Government of J&K referred the industrial dispute case arising between the ASCOM Employees Welfare Association, Jammu and Trustee Administration, AS COM and Hospital Sidhra, Jammu to this Court/Tribunal under section 10C sub-section 1 of Industrial Disputes Act, 1947 vide Notification bearing SRO No. 333 dated 17th September, 2007 for adjudication upon the below specified matters :—

- (a) Whether the demands raised by the Employees Welfare Association, ASCOMS are genuine ?
- (b) If so, to what relief they are entitled ?

On receipt of the reference, notices were issued to the parties who appeared and filed their respective statement of Claims which are summarized as under :—

The ASCOM Employees Association had raised some of the demands regarding their employment of served notice. upon the respondent employer on 10-06-2005 for consideration of their demands but the non-applicants did not take any action upon the matter therefore after two months a reminder was sent to the respondent but still there was no response from management side. After that dispute was filed before the conciliation officer, but the Conciliation proceedings failed and the case was referred to the Govt. for onwards transmission to the Hon'ble Court/Tribunal for adjudication The charter of demands were regarding (1) confirmation of employees, to make employees permanent,

(2) promotion policy, (3) provident fund, (4) maternity leave, (5) salary and pay scales, (6) medical treatment, (7) group insurance scheme, (8) night allowance, (9) risk allowance, (10) implementation of Gratuity Act 1972, (11) termination from service without any procedure, (12) copy of service rule to the association and (13) office accommodation for employees association. The demands raised by the employees Association are discussed as under :—

1. Conformation of Employees :

Employees are working continuously and regularly from a long period and have completed 240 days under I. D. Act 1947. About 700 employees are employed in the hospital. All employees be confirmed and confirmation letters be given to all the employees in the hospital.

2. All employees who have been appointed on Adhoc basis or probation and have completed their period of 240 days, continuously and regularly, as required under I. D. Act, 1947 by regularized . Thus be brought on permanent established of the hospital.
3. There is no definite promotion policy for employees in the hospital and employees are working from a long period. Promotion policy be formulated for employees in the hospital and there should be no pick and choose policy.
4. E. P. F. scheme be implemented for all the employees in the hospital and their accounts statements be provided to all the employees with E. P. F. Account No. from the date when they joined in hospital.
5. Maternity leave to the female staff be granted to all the female employees as per law under Maternity Benefit Act.
6. Pay Scales/Salary :

The Directive principal as ensured under the articles 43 of the Constitution of India, ensure a decent standard of life to

each one irrespective of the work done by him. Every step must be a step forward in the said direction. The present salary system consist of many factors, the most important being the basic salary, dearness allowance and other amenities like housing etc. progressive improvement of salary should be at the scale which should be fixed. At present no pay scale of employees has been formulated so far by the competent authority for the employees which is the dire need at present and the salary/wages be classified and fixed on long turn basis and adopted for better living standards.

7. Proper medical treatment to employees be provided with proper scheme.
8. Group Insurance Scheme be introduced for employees in the hospital as at preserit there is no social security scheme for employees in the hospital.
9. Night allowance be given to all those employees who remain on night duty.
10. Risk allowance be paid to all those employees who perform the job risk.
11. All those employees who have retired be paid gratuity under Payment of Gratuity Act, 1972 and the said Act,1972 be implemented properly.
12. The Employer use a hire be fixed policy while terminating an employee without using the proper procedure of law—On the mere pretext of misconduct. Therefore, proper standing orders and service rules be made.
13. The respondent have no service rule or certified standing order to regulate the service conditions of employees. Therefore, it is demanded that certified standing orders be made as per under law so that service of employees will be

governed by the statutory provisions containing terms and conditions of employment.

14. Employees association is a Regd. trade union under law and functioning as a statutory body which is doing work for the welfare of employees, institution and nation but there is no office for the union to function in the hospital premises and to sit with employees to solve their day today problems and grievances. Therefore, it is prayed and demanded that one room for union office may please be awarded to carry out the functions and activities properly.

Further the applicants Association have prayed for the payment of all benefits under various Labour Laws applicable to the non-applicant, retrospectively.

The respondent filed the objections on 26-03-2008 which are summarized as under :—

The respondent have admitted the serving of the demand notice dated 10-06-2005 by the applicants/petitioners of subsequent holding of Conciliation proceedings and the reference of the Case to this Court/Tribunal by the Government. However, they have stated that during the intermediate time between the reference of the matter to the Government and its subsequent reference to the Hon'ble Industrial Tribunal for adjudication, the legal and factual developments that ensued, have rendered the terms of this reference as legally settled, thus rendering this reference and claim petition as redundant. To elaborate on this fact, it is submitted that much after the dispute was referred to the Government, the petitioner again served the respondents with a charter of demands and a strike notice regarding various service conditions of the employees vide the notice No. BMS/AEWA/13/2007 dated 13-03-2007. Demand notice would make it manifestly clear that the second demand notice was only reiteration of the earlier notice. In respect of the second demand notice, when the conciliation proceeding

were initiated at the instance of the respondent, and exhaustive and comprehensive deliberation were exercised between the Management and the Employees, with the mediation and conciliating efforts of the conciliation officer, thereafter a memorandum of settlement dated 05-05-2007 was executed signed by the parties approved and attested by the conciliation officer under Industrial Disputes Act.

Hence the Memorandum of the settlement has statutory force in the eyes of law as the same is consonance with the statutory provisions enshrined in the Industrial Disputes Act. The settlement has a binding effect on the parties and cannot be contravened by either of the parties. In the light of this legal position it would be relevant to study clause 13 of the memorandum of the settlement which is quoted as under :—

\_\_\_\_\_The party of the second part also agrees that there is no other issue other than the ones specified in the demand notice regarding the service conditions which needs to be addressed to. The agreement arrived as is taken as full and final settlement of all the claims and issues raised by the employees. No similar issue shall ever be pressed in demand by the party of second part in future and all demands, which include the legal proceeding initiated in this regard raised by party of the second part earlier to this point of time, stand withdrawn. The contents of the fore-referred clause clearly reveal that all similar demands which had been raised and settled in this deed, stood withdrawn. It is further covenanted in the settlement deed that the petitioners withdraw any legal proceedings initiated in this behalf. It flows as natural corollary that the present petition automatically becomes redundant in the light of the settlement, more so when all the issues have been conferred on the employees.

In the light of the settlement of issues between the parties the respondent have claimed that the applicant's petition deserves out right dismissal in limini.

In addition to the preliminary objections the respondent's also filed the para-wise reply as under :—

1. That the issue of the conferment of permanent status to the employees has already been resolved and settled Vide the agreement dated 05-05-2007 arrived at between the employees and the Management as per clause-2 of the agreement, it was mutually decided and agreed that all the employees who have completed 7 years of satisfactory and unblemished service will be issued confirmation letters. This clause on part of the Management has been followed in letter and spirit and few of the instances where such confirmation has been conferred are illustrated in the orders collectively.
2. With regard to the promotion policy of the employees clause-7 of the agreement have been referred----- “Regarding promotion policy, the party of the second part was informed that the promotions to higher posts are being given whenever the same are available depending upon the need of the institution subject, however, to their possessing necessary academic qualification, requisite experience, suitability and good work and conduct. However, in general the employees are being considered for promotion or for hike in pay after rendering a minimum service of ten years in the institution. The same has been agreed to by the party of the second part.”
3. With regard to implementation of Employees provident fund schemes the respondent have stated that it has been implemented in letter and spirit since 1st of March, 2000 i. e., much before the raising of this demand in the first instance. Hence, this issue is completely misconceived.
4. With regard to granting of maternity leave as warranted under law is already being provided to the female employees of the institution.

5. That with regard to Directive principles as enshrined in the Constitution of India are not legally justiciable and hence not enforceable. However, respondents have submitted that the salaries are being paid in accordance with Minimum Wages Act from time to time. The salaries of the employees were enhanced and fixed in accordance with SRO No. 157 dated 06-06-2005 issued by the Government. Apart from this, vide office order No. ASCOMS/ADM/TA/O/5771 dated 31-07-2005 and ASCOMS/ADM/TA/O/5912 dated 17-08-2005 ; the benefits of raise in salary was also extended to the employees who were already drawing salaries more than the prescribed, according to their length of service.

It would be in context to bring to light the fact that even after having adhered to all the statutory provision/legal provisions with regard to the salaries of the employees, the Management was magnanimous to confer a quantum benefit with regards to salaries to the employees vide the agreement wherein the hike in the salaries of the employees has been delineated will make it amply clear that the Management has gone beyond the call of its legal duty to ensure the best possible welfare benefits for the employees.

6. With regards the issue of facility of Medical treatment conferred to the employees, already stands resolved vide the fore-referred agreement. The relevant clause of the agreement is reproduced hereunder for handy references :—

“Clause-10----- The party of second part was appraised about the facility of the Medical Treatment being provided by the Institution to the extent of one month’s salary of the employee coupled with 50% subsidy in case the expenses incurred exceed. However, the party of the first part has agreed to give a magnanimous benefits and fix a minimum

limit to an amount Rs. 5000/- up to which free Medical Treatment shall be provided. This provision is being introduced especially to benefits those employees who are earning less than Rs. 5000/-”

7. That the insurance linked with Provident Fund has already been made applicable as per the instruction issued by the J&K Government vide notification No. 464 dated 14-12-2000. Futher it is submitted that the group insurance scheme as contented by the petitioners is not applicable to the respondent and hence not legally justifiable.
8. With regards. to contention regarding night allowance to the Employees, it is submitted that the employees are expected to work for 48 hours in a week. In view of the fact that the hospital runs for 24 hours a day so as to provide proper patient care, therefore, the working of the paramedical and other staff connected with the hospital is staggered in manner that the total working time in a week does not exceed 48 hours. This working span includes duty at night also. However, if the total working times in a week exceed 48 hours, the Management will pay the overtime allowance as required under rules. In view of the fact that there is no provision of any night allowance in the Labour Act, therefore, the same is not being paid as the total duty period comes within the norm of 48 hours in a week.
9. That with regard to contents regarding risk allowance, have already been issued.
10. That the Payment of Gratuity Act, 1972 is being implemented in letter and spirit and the benefits are extended to all deserving employees.
11. That the contents regarding termination are misconceived and totally false. The alleged contentions of the para are

against records and the position of law. The authorities have always complied with due process of law in determining the suitability of the employment of the Employees.

12. That the service conditions of the Employees are being regulated by duly notified service Rules, notified and implemented vide order No. ASCOMS/ADM/TA/13789 dated 11-08-2006.

In the light of above submissions and filing of objections. The respondents humbly have submitted that the petition of the petitioners be dismissed against the petitioners and in a favour of the respondents with costs.

**Heard both side and also perused the file.**

The petitioners/applicants filed the rejoinder to the objections of the respondents on 12-06-2008 wherein they have denied all the Contents and submission as made by the respondent in their objections and have denied that none of their demands have been met and accepted by the respondent.

The Court/Tribunal having regard to the statement of the Claim of the Applicants/petitioners the objections filed by the respondent and the connected objections of the applicants/petitioner the Court/Tribunal treated the referred issues as the issues framed by this Court/Tribunal :—

- (i) Whether the demands raised by the ASCOMS Employees' Welfare Association Jammu are genuine ?
- (ii) If so, to what relief they are entitled in ?

Parties were directed to lead the evidence in support of their contentions. The petitioners produced two witnesses (1) Bushan Sharma, General Secretary of

the Association and (2) Sachin Bali, Finance Secretary of Association.

P. W. I. Bushan Sharma stated and repeated the contents of the petition as well as the demand notice dated 10-06-2005. He stated that there was no amicable settlement before the conciliation officer during conciliation proceeding. The respondent do not issue any confirmation letters to employees who are in employment from a long time. Therefore have demanded that conformation letter be issued in their favour. Permanent letters be issued to all employees who have completed 240 days service continuously and regularly. Employees who have been appointed on adhoc basis are now making them contractual employees and terminating them and changed their service conditions. There is no promotion policy and there is no service list of employees. There is pick and choose policy E. P. F. has not implemented for all employees. Maternity leave be given to female staff. Management have not made any pay scales for employees and no D. A. is being paid. The Daya Nand Hospital Ludhiana and C. M. S Hospital Ludhiana have made pay scales for their employees. There about work. Medical reimbursement policy be made, There is no group insurance scheme for employees. Night allowance be paid. They have not implemented Gratuity Act properly. No certified standing order for governing the service conditions have been framed, there are 600 employees in hospital, No office has been allotted to the trade union which is necessary for functioning of the trade union as there are about 900 employees in the Hospital and to attend to their problems and grievance statement on 18-03-2009 P. W. 2 Sachin Bali P. W. 2 stated that there are about 500 employees

in the hospital, and his statement as witness is on the similar lines as of P. W. 1. An opportunity to cross examine the witness was afforded to the respondent. During cross examination the witness deposed that whether Aid is being paid or not I do not know our union is regd. When I was appointed, my salary was Rs. 1800/- Today I am getting Rs. 3500/- P. M. I know that charter of demands has been given. Only promotion policy is for Doctor and not for para Medical staff and other staff. I do not know whether the rules have been made by the respondent management, Medical Facility is being given but very less confirmation letters be given after one year service who have completed 240 days in a calendar year under law. There is no seniority list of employees the evidence of petitioner was closed on 18-3-2009.

The respondent were provided opportunity to lead the evidence. In their defense they produced three witnesses Sh. Vinod Kumar Suri, Administrative Officer and Sh. S. S. Soodan, Director Medical in the Hospital and Sh. Vinod Kumar Suri, The interims deposed that the employees raised the charter of demands on 10-6-2005, and majority of the demands have been redressed and rest of demands are in pipeline. 900 employees are working in the institution. The institution smoothly is running since 1995, All the employees are governed by the service law. There is a clear cut policy of management regarding the confirmation in the service. Night allowance and risk allowance are also given to the employees, Gratuity is being paid. The institution has more than 900 employees, and dealt with the procedure laid down in the service law. The respondent institution well equipped with service law, on cross examination to R. W. 1 by

the petitioner on 19-5-2014, the witness deposed that he joined in the hospital in the year 1995. There are 902 employees in the hospital out of the 674 are not teaching staff and out of which 233 are permanent and 308 are contractual and there is 7 daily wagers. There is policy for regularization of the employees. There is promotion policy and some of the workers have been promoted in accordance with rules. Service rules have been framed by the management. However stated that whether the service rules were certified by the competent authority he does not know seniority list of the employees as per category, prepared seniority list has not been circulated or displayed by the management, provident fund is applicable in the hospital, Maternity leave is granted to the female employees as per rule, pay scales have been made by the management. Our Hospital is not covered under E. S. I. Act. Medical benefits are given to the employees as per rule, Night allowance is also given to the employees, and Risk allowance as per rule, Gratuity as per Gratuity Act, is also being paid to the eligible employees.

R. W. 2 Dr. S. S. Soodan, Director Medical stated on affidavit that the statement of the workers is on the similar lines as of the namely Vinod Kumar Suri R. W. 1 of the Hospital Management. In cross examination to witness on 8-8-2014, witness has deposed that hospital was constructed in 1996. There are service rules for the employees. However does not know the date of formation of the rules as he is not dealing with the administrative work and cannot say about the demands notice.

The examination of the statement of the respondents witnesses reveal that some of the demands raised by

the applicants/petitioners viz. E. P. F., Maternity leave, Medical treatment, Night allowance, Risk allowance of Payment of Gratuity Act, 1972 have been framed justified and genuine and accepted by the Respondent.

Now with regard to the other demands with respect to Confirmation of employees and in the support of this demand, the petitioners produced are more witness Bushan Sharma as evidence, who deposed that the respondent did not issue any confirmation letter to the employees since 1996 to this date no permanent letter has been issued to all those employees who were employed on *Ad hoc* or are probation period for years together till 10-6-2005 and no employee has been made permanent who have completed 240 days in a calendar year as per provision under section 25-F of Industrial Disputes Act, 1947 completed the mandatory provision under law. No pay scales have been made by the management after passing 10 years period, No service rules have been made during this period to govern the service conditions of employees nor any service rule copy has been filed before the Hon'ble Court as R.W. 2 witness Vinod Suri stated that there are 900 employees and witness R. W. 2 stated in evidence on the same time. P. W. 1 stated that respondent has not acceded their charter of demands as mentioned in demand notice 10-6-2005. The respondent did not file any record of employees particular with respect to the list of the employee whose services have been regularized or made permanent. The R. W. 1 Vinod Suri did not file any service rule copy and seniority list, No pay scale of employee have been made for the last 10 years. No confirmation letters or permanent letters to employees have been filed by the respondent before this Court/Tribunal to satisfy the court and no

pay scale copy has been filed. No copy of service rule has been filed in the court , no promotion copy if any has been- filed by the respondent before the Hon'ble Court.

The perusal of the case file, the statements of the witness has proved undoubtedly that hospital management has not made any service rules to govern the service conditions of a large number of employees as the No service rule copy has been filed before the Hon'ble Court nor it has been given to the employee representative so far, so its certification by the competent authority does not arise. The R. W. 1 Vinod Suri and S. S. Soodan R. W. 2 an responsible official of the hospital failed to satisfy the Hon'ble Court that any service rules has been framed for the employees of the hospital i. e. which could describe the classification of employees about employment, Record of Age, About Attendance, Absence from work promotion, Redress of grievances, Misconduct procedure for disciplinary action, Retirement about classification of employees permanent, probationer, Temporary, On contract, Casual etc. The Hospital Management has given a false statement before Hon'ble Court that Hospital Management has framed the service rules for employees. The respondent did not file service rule in the court nor disclosed it to the employees. Therefore the management of the hospital is directed that the service rules of all employees with the consultation of employees representative be framed and the seniority list of all the categories of the employees be also finalized within one month after the order of the Hon'ble Court. All employees who have completed probation period or extended period be confirmed and orders in writing be issued by the competent authority.

All employees who have completed one year or more period of service be issued confirmation letters otherwise the respondent is depriving them of the status and privileges of being permanent employees and not issuing confirmation letter to employee is unfair labour practice under Industrial Disputes Act, 1947. With respect to promotion policy the Hospital management is under obligation to formulate a promotion policy in service rules from one post to another or higher post or from lower grade to higher grade is necessary to make out promotion policy for all the employees and it will be determined on the basis of seniority. This demand is genuine and hospital management should finalize the promotion policy within one month after the order of Hon'ble Court.

With respect to Demand No. 6 i. e. pay scale of employees the evidence lead by the parties has proved that no pay scales has been formulated by the hospital Management. The tribunal Court while taking note of this directs that the wage structure prevailing in other comparable concerns in the region be adopted. The Hospital business carried on by the ASCOM and its Management has similar factors with the Daya Nand Hospital and, C. M. S Hospital at Ludhiana, the pay scale be formulated on the same analogy and pattern as adopted in the same concerns in Ludhiana. Pay Scales be comprised of the factors the most important being the basic salary, dearness allowance and other amenities like house rent etc. pay scales be framed for 900 employees of hospital where as the Management has made pay scales for Doctors but No pay scales has been framed for para Medical Staff which are more than 600 employees. Pay scales should be regarded as long term plan. Pay scales be adopted by the respondent

Hospital Management as long term plan and better living for the low paid employees who are in employment for the last about 20 years in regular and continued service.

In the aforesaid circumstances in my opinion the ASCOM employees welfare association raised the demand notice upon the respondent employer on 10-06-2005 with different demands viz confirmation of employees, to make employees permanent, promotion, policy, provident fund, maternity leave, salary and pay scales, medical treatment, group insurance scheme, night allowance, risk allowance, implementation of Gratuity Act, 1972, termination from service without any procedure, copy of service rule to the association and office accommodation for employees association are quite genuine and legal needs to be adopted at once.

Further the demand of regularizing service of all those employees who have put in 240 days in the calendar year and have 20 years of service at their back shall be brought on regular and permanent establishment and be paid wages as fixed by the Government till they are regularized.

The element of deliberate act on the part of the respondent to deprive them of the benefits of permanency is totally illogic. I fail to understand if they are in continuous employment for years together why have they waited upto 10-06-2005 ? The time changes, the nature of work changes, many factors governing the nature of the business also changes. Therefore there is no hard and fast rule that as soon as a casual workman has completed 240 days he should be made permanent

however he can continue till work is completed. It is not that the casual work is illegal or is prohibited under the Law. In any industry as and when work is available casual work can be given and as soon as that work is over the casual workman has to go . He does not create any vested right in employment by the very nature of the casualness in work.

In view of the above discussion it is safe to hold that employees different demands of services is genuine. As such it is held that employees demands are justified and legal. Hence issue No. (1) is decided in favour of the applicants. So far as the 2nd, issue is concerned the demands of the employees for regularizing their services and other different demands of service benefits are genuine, the services of all those employees who have put in more than 20 years of service be regularized and brought on permanent establishment and pay grades be given to them. The relief is answered accordingly. Award is accordingly passed in favour of the ASCOM Employees Welfare Association/Applicants Jammu. File stands disposed off and shall go to records after its completion. A copy of award be sent to the appropriate Government for its publication in the Government Gazette under rules.

Announced :

Dated 31-08-2017.

(Sd.) NIGHAT SULTANA,

District and Sessions Judge  
(Presiding Officer),  
Industrial Tribunal/Labour Court,  
J&K, Jammu.

EXTRAORDINARY

REGD. NO. JK—33



THE  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Vol. 130] Srinagar, Wed., the 28th March, 2018/7th Chai., 1940. [No. 51-i

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART I-B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—REVENUE DEPARTMENT

Notification

Jammu, the 28th March, 2018.

SRO-145.—In exercise of the powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No. XIII of 1963), and in supersession of all previous Notifications issued in this behalf, the Government hereby appoint the following officers, to be the competent authority for the

2 The J&K Govt. Gazette, 28th March, 2018/7th Chai., 1940. [No. 51-i

purposes of the said Act within the territorial jurisdictions as shown against each :—

S. No.	Name and Designation of the Officer	Territorial Jurisdiction
1.	Mr. Kaiser Ahmad Bhawani, (KAS), Sub-Divisional Magistrate Marwah, holding additional charge of ACR, Kishtwar.	Sub-Divisional Marwah and Assistant Commissioner, Kishtwar of District Kishtwar.
2.	Shri Rishi Kumar Sharma, (KAS), Sub-Divisional Magistrate, Padder.	Sub-Divisional Magistrate, Padder of District Kishtwar

By order of the Government of Jammu and Kashmir.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

EXTRAORDINARY

REGD. NO. JK—33

**PART I-B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 28th March, 2018.

SRO-146.—In exercise of the powers conferred by section 164 of the Jammu and Kashmir Goods and Services Tax Act, 2017 (Act No. V of 2017), the State Government hereby appoints the 1st day of April, 2018, as the date from which the provisions of sub-rule (ii) of rule 2 (other than clause (7), (iii), (iv), (v), (vi) and (vii) of rule 2 of SRO notification No. 144 of 2018 dated 27-03-2018 are made applicable.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,  
Principal Secretary to Government,  
Finance Department.

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EXTRAORDINARY

REGD. NO. JK—33

**PART I-B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Power Section)

Notification

Jammu, the 2nd of April, 2018.

SRO-148.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint following Officers to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within their respective territorial jurisdictions of District Kishtwar :—

S. No.	Name of the Officer	Designation and Place of Posting
	S/Shri	
1.	Parshotam Kumar	Look after Naib-Tehsildar, Lopara
2.	Jagdev Singh Kalotra	Look after Naib-Tehsildar, PA to Deputy Commissioner, Kishtwar.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,  
Secretary to Government,  
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33

**PART I-B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Power Section)

Notification

Jammu, the 2nd of April, 2018.

SRO-149.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Sh. Mushtaq Ahmed, look after Naib-Tehsildar to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within territorial jurisdiction of District Jammu.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,  
Secretary to Government,  
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Vol. 131] Srinagar, Tue., the 22nd May, 2018/1st Jyai., 1940. [No. 7-1

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS.

(Legislation Section)

Srinagar, the 22nd May, 2018.

The following Ordinance as promulgated by the Governor on 22nd May, 2018 and is hereby published for general information :—

**THE JAMMU AND KASHMIR (PREVENTIVE DETENTION  
LAWS) ORDINANCE, 2018**

(Ordinance No. IV of 2018)

[22nd May, 2018.]

Promulgated by the Governor in the Sixty-ninth Year of the Republic of India.

An Ordinance to amend the Jammu and Kashmir Public Safety Act, 1978, Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988 and Jammu and Kashmir Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988.

Whereas, the State Legislature is not in session and the Governor is satisfied that circumstances exist, which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by section 91 of the Constitution of Jammu and Kashmir, the Governor is pleased to promulgate the following Ordinance :—

### **Preliminary**

1. *Short title and commencement.*—(1) This Ordinance may be called the Jammu and Kashmir (Preventive Detention Laws) Ordinance, 2018.

2. It shall come into force at once.

### **CHAPTER I**

#### **Amendment to the Jammu and Kashmir Public Safety Act, 1978.**

2. *Amendment of section 14, Act VI of 1978.*—In section 14 of the Jammu and Kashmir Public Safety Act, 1978, sub-section (3) shall be substituted by the following, namely :—

“(3) The Chairman and the other Members of the Board shall be appointed by the Government on the recommendations of the Search-cum-Selection Committee consisting of the following :—

(a)	Chief Secretary .....	Chairman
(b)	Administrative Secretary, Home Department.....	Member

(c) Administrative Secretary,  
Department of Law, Justice and  
Parliamentary Affairs ..... Member :

Provided that no sitting Judge of the High Court or the sitting District and Sessions Judge shall be appointed as Chairman or Member of the Board except in consultation with the Chief Justice of High Court.”

## CHAPTER II

### **Amendment to the Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988**

3. *Amendment of section 9, Act XXV of 1988.*—In section 9 of the Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988, sub-section (3) shall be substituted by the following sections, namely :—

“(3) The Chairman and the other Members of the Board shall be appointed by the Government on the recommendations of the Search-cum-Selection Committee consisting of the following :—

(a) Chief Secretary ..... Chairman  
(b) Administrative Secretary,  
Home Department..... Member  
(c) Administrative Secretary,  
Department of Law, Justice and  
Parliamentary Affairs ..... Member :

Provided that no sitting Judge of the High Court or the sitting District and Sessions Judge shall be appointed as Chairman or Member of the Board except in consultation with the Chief Justice of High Court.

(4) Nothing in sub-section (3) shall prevent the Government from appointing Chairman and Members of the Advisory Board constituted under section 14 of the Jammu and Kashmir Public Safety Act, 1978 from being appointed as Chairman and Members under section 9 of this Act for discharging functions under the provisions of this Act.”

### CHAPTER III

#### **Amendment to the Jammu and Kashmir Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988**

4. *Amendment of section 9, Act XXIII of 1988.*—In section 9 of the Jammu and Kashmir Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988, clause (a) shall be substituted by the following, namely :—

“(a) The Government shall, whenever necessary, constitute an Advisory Board which shall consist of a Chairman and two other persons possessing qualification as specified in section 9 of the Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988 and in the manner specified in said section.”

GOVERNOR.

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(Sd.) ABDUL MAJID BHAT,  
Secretary to Government,  
Department of Law, Justice and Parliamentary Affairs.

**CONSENT**

I, \_\_\_\_\_, Advocate, do hereby consent to be designated as a Senior Advocate in terms of section 16(2) of the Advocates Act, 1961 and agree and undertake to abide by all laws, rules, regulations, norms, guidelines and criteria as are for the time being in force or which may be prescribed hereafter for this purpose.

Place :

Date : Signature.

EXTRAORDINARY

REGD. NO. JK—33



THE  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Vol. 131] Srinagar, Wed., the 25th April, 2018/5th Vai., 1940. [No. 3-7

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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**PART III**  
**Laws, Regulations and Rules passed thereunder.**

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HIGH COURT OF JAMMU AND KASHMIR AT JAMMU

Notification

No. 34 dated 25-04-2018.

In exercise of the powers conferred by Section 23 of the J&K Contempt of Courts Act, 1997 (Act No. XXV of 1997) read with Article 215 and 225 of the Constitution of India and Section 102 of the Constitution of Jammu and Kashmir, the High Court of Jammu and Kashmir hereby makes the following Rules to regulate the proceedings for the Contempt of itself and of Courts Subordinate to it under the Contempt of Courts Act, 1997 :—

1. *Short title and commencement.*—(i) These Rules may be called “The Rules, to regulate proceedings for Contempt of the Subordinate Courts and the High Court of Jammu and Kashmir, 2018.”

(ii) These Rules shall come into force on the date of their publication in the J&K Govt. Gazette.

2. *Definitions.*—In these Rules unless there is anything repugnant to the context,—

- (a) “Act” means the Jammu and Kashmir Contempt of Courts Act, 1997 ;
- (b) “Advocate General” means the Advocate General (for the State) of Jammu and Kashmir ;
- (c) “Chief Justice” means the Chief Justice of the High Court of Jammu and Kashmir ;
- (d) “Code” means the “Code of Criminal Procedure, Svt. 1989” (1933 A. D.), as amended from time to time ;
- (e) “Form” shall mean the forms mentioned in the appendix to these Rules ;
- (f) “High Court” means the High Court of Jammu and Kashmir ;
- (g) “Judge” means the Judge of the High Court of Jammu and Kashmir ;
- (h) “Registrar” means ‘Registrar Judicial’ and shall include Joint Registrar Judicial or any other officer as may from time to time be specified by the Chief Justice ;
- (i) “Subordinate Court” means any court subordinate to the High Court of Jammu and Kashmir but does not include “Panchayati Adalat or Village Adalat” etc. ;
- (j) “Ex-facie contempt” includes a commission of any of the offences mentioned in Section 480 of the Code, in the view, or, presence of, any Judge or Judges of the High Court sitting in Court ;
- (k) All other words and expressions used in these Rules, but not defined herein, shall have the meanings respectively assigned to them in the Act.

3. *Form of Motion.*—(1) Every motion for initiating action for Contempt of Court shall be in the form of petition described as Contempt Petition (Criminal) in respect of Criminal Contempt and Contempt Petition (Civil) in respect of Civil Contempt.

(2) Every petition under the Act shall be presented in the Office of Registrar and registered as Contempt Petition (Civil) or Contempt Petition (Criminal).

(3) If there are allegations of commission of both Civil Contempt and Criminal Contempt against the same person/persons, two separate applications shall be moved, one dealing with Civil Contempt and the other with Criminal Contempt.

(4) In case of Civil Contempts, certified copy of judgment, decree, order, writ or undertaking, which is alleged to have been disobeyed, shall be filed along with the petition.

(5) Every Civil Contempt shall be accompanied by as many extra copies as there are respondents.

(6) The Registry shall prepare the paper book in triplicate in case of Criminal Contempt and all relevant material brought on the record from time to time shall be included in the paper book.

4. *Cognizance.*—(1) Proceeding in connection with a Civil Contempt may be initiated,—

- (a) by a petition presented by a party or parties aggrieved ; or
- (b) by the High Court on its own motion ; or
- (c) in case of any Civil Contempt of a Subordinate Court on a reference made to it by that Court.

(2) Proceeding in connection with a Criminal Contempt may be initiated,—

- (a) on a motion of the High Court in respect of a Contempt committed in its own view under section 14 of the Act ; or

- (b) on its own motion by the High Court under section 15 of the Act ; or
- (c) on a motion founded on a petition presented by the Advocate General ; or
- (d) on a motion founded on a petition by any other person with consent in writing of the Advocate General ; or
- (e) on a reference made to High Court by the Subordinate Court.

5. *Contempt Proceedings*.—When proceedings are initiated on behalf of an aggrieved person, every petition, motion or reference shall contain—

- (a) The name, description, age and registered postal address of the petitioner/petitioners and the person/persons charged ;
- (b) Nature of the Contempt alleged and the material facts including the date/dates of the Commission of alleged Contempt, as may be necessary for the proper determination of the case ;
- (c) If a petition has previously been made by him on the same facts, the petition previously made and shall also indicate the result thereof ;
- (d) The petition shall be supported by an affidavit ;
- (e) Where the petitioner relies upon a document in his possession or power, he shall file such document or documents or true copies thereof with the petition or make a reference in the petition that the document or documents relied upon cannot be immediately had due to reasons beyond his control and that the same shall be filed in due course of time ;
- (f) No court fee shall be payable on the petition or any documents filed in the proceedings ;
- (g) The petition shall be signed by the petitioner or his duly authorized agent ;
- (h) Every petition shall be verified by the solemn affirmation made by the petitioner or by a person/persons having cognizance of

facts stated and shall state clearly by reference to the paragraphs of the petition, whether the statements are based on knowledge, information and belief or on record, where a statement is based on record sufficient particulars shall be given to identify the records ;

- (i) Where the petitioner is a company there should be appended an affidavit of competency and if the petitioner or the respondent is a Corporation provisions of Order XXIX of the CPC, in so far as they are applicable, shall apply ;
- (j) Where the respondent is the State Govt. or the Central Govt. the cause title shall mention the person upon whom the notice or the rule is to be served.

*6. Initiation of proceedings.*—(1) Every petition, motion or reference to Civil Contempt shall, unless directed otherwise by the Chief Justice, be laid before a Single Bench.

(2) Every petition, motion or reference in relation of Criminal Contempt shall, unless directed otherwise by Chief Justice be laid for motion hearing before Division Bench constituted by the Chief Justice.

(3) Where a Bench constituted by the Chief Justice for hearing any petition declines to hear the case on personal grounds or otherwise or if one of the Judges constituting the Bench, in case it consists of more than one Judge, declines to hear the case on such grounds, the matter shall be placed before the Chief Justice for reassigning the case to some other Bench.

(4) When an application for initiating a proceeding in Criminal Contempt is received by a Judge other than the Chief Justice, he shall direct the Registrar that it be laid before the Chief Justice for orders.

(5) The Chief Justice may decide either by himself or in consultation with other Judges of the Court whether to take cognizance of the information/ application for initiating a proceeding in Criminal Contempt either received by him or by any other Judge and without the orders of the Chief Justice, such application/information shall not be registered as Criminal Contempt Petition.

(6) Every petition shall be posted before the Court for preliminary hearing and orders as to issue of notice. Upon such hearing, that Court, if satisfied that no *prima facie* case has been made out for issue of notice, may dismiss the petition, and, if not so satisfied direct that notice of the petition be issued to the respondent.

(7) Where Contempt is committed in the presence of Court, or during the hearing of a case by the Court, the proceedings initiated for such Contempt shall be conducted in accordance with the procedure laid down in section 14 of the Act.

(8) Every reference relating to Contempt of Court received from Subordinate Courts shall along with the report of Registry be laid before the Chief Justice who shall have the discretion to file the same or to order that the same be laid before the Bench constituted by him for orders.

(9) All references made by the Subordinate Courts other than the Courts of District and Sessions Judge shall be forwarded through the respective District and Sessions Judge to High Court expeditiously with their report.

(10) In all cases cognizance of which has been taken *Suo Moto*, or on a reference made by the Subordinate Court, the State of Jammu and Kashmir shall be described as the petitioner and the Advocate General or any other State Counsel shall conduct prosecution for Contempt in such cases.

*7. Criminal Contempt of Subordinate Court under section 15 of the Act.—*

- (a) Reference under section 15(2) of the Act may be made by Subordinate Court either *Suo Moto* or in an application received by it ;
- (b) Before making a reference the Subordinate Court shall hold a preliminary enquiry by issuing a show cause notice to the alleged contemnor, along with copies of relevant documents, if any, and after offering an opportunity of being heard the Subordinate Court shall write a concise reasoned order of reference indicating why Contempt of Court appears to have been committed ; and

(c) Every motion made by the Advocate General under section 15(2), of the Act shall state the allegations of facts and the view of the informant that in relation to these facts Contempt appears to have been committed of which the court should take cognizance and take further action. The motion should contain sufficient material to indicate why the Advocate General is inclined to move the Court.

8. *Admission and Notice.*—

(a) Where the Chief Justice or such Judge or Judges of the High Court to whom the matter is referred under Rule 6 decides/decide that action should be taken under the Act against the alleged Contemnor, the Registrar shall cause the notice to be issued to the alleged Contemnor ;

(b) Every notice issued by the High Court shall be in the form appended to these rules and shall be accompanied by a copy of the motion, or petition of reference, as the case may be, together with the copies of the affidavit, if any ;

(c) The notice shall bear the date, the seal of the High Court and shall be issued under the signature of the Registrar Judicial ;

(d) Notice of every proceeding under the Act shall be served personally on the person charged, unless the Court, for reasons to be recorded, directs otherwise. In that case the service may be effected by alternative forms of service as may be directed by the Court ;

(e) Where it is proved to the satisfaction of the High Court that the person charged is, absconding or is likely to abscond or is keeping or likely to keep out of the way to avoid service of the notice, the High Court may order the issue of warrant of his arrest in addition to attachment of his property under sub-sections (3) and (4) of section 11 of the Act. Such warrant may be endorsed in the manner laid down in section 76 of the Code of Criminal Procedure, 1989, in terms of the order of the High Court ;

- (f) In every case of Criminal Contempt the accused shall appear in person before the High Court, on the first date of hearing and on every subsequent date to which the case is posted, unless exempted by an order of the Court ;
- (g) In every case of Civil Contempt, the accused shall appear either in person or through Counsel before the High Court on the first date of hearing and on every subsequent dates to which the case is posted ; but shall appear in person whenever directed by the Court.

9. *Enquiry.*—

- (a) Any person charged with Contempt of Court other than Contempt referred to in section 14, may file an affidavit in support of his defense on the date fixed for his appearance or on such other date as may be fixed by the Court in that behalf ;
- (b) If such person pleads guilty to the charge, his plea shall be recorded and the Court may, in its discretion, convict him thereon ;
- (c) If such person refuses to plead or does not plead, or claims to be tried or the Court does not convict him on the plea of guilt, it may determine the matter of the charge either on the affidavits filed or after taking such further evidence as it deems fit ;
- (d) The Court may pass such orders for the purpose of securing the attendance of any person to be examined as a witness and for the discovery or production of any document as it deems expedient in the ends of justice :

Provided that the High Court may also direct any Subordinate Court to record evidence and submit the same to the High Court. The Subordinate Court will have all the powers of recording evidence under the Civil Procedure Code and Criminal Procedure Code.

10. *Bail*.—(1) Where any person charged with Contempt, appears or is brought before the High Court and is prepared, while in custody or at any stage of the proceedings to give bail, such person shall be released on bail, if a bond for such sum of money as the High Court thinks sufficient is executed with or without sureties on condition that the person charged shall attend at the time and place mentioned in the bond and shall continue to so attend until otherwise directed by the High Court :

Provided that the High Court may, if it thinks fit, instead of taking bail from such person, discharge him on his executing a bond without sureties for his attendance as aforesaid or without executing such bond.

(2) Notwithstanding anything contained in sub-rule (1),—

- (a) Where a person fails to comply with the time and place of attendance, the High Court may refuse to release him on bail, when on a subsequent occasion in the same case he appears before the High Court or is brought in custody and any such refusal shall be without prejudice to the powers of the High Court to call upon any person bound by such bond to pay the penalty thereof ;
- (b) The relevant provisions of Code of Criminal Procedure, Svt. 1989 (1933 A. D.) shall so far as may be, apply to all bonds executed under the rules.

11. *Appeals*.—(1) Every appeal filed under section 19 of the Contempt of Courts Act, 1997 shall be registered as “Contempt Appeal” and duly numbered as such.

- (2) (a) Every such appeal, shall be posted before a Bench of not less than two Judges, if the order appealed against is passed by a Single Judge of the Court ;
- (b) If the order appealed against is passed by a Bench of not less than two Judges, the appeal shall lie to the Supreme Court.

(3) The procedure for regulation of such appeals shall be the same as for appeals under clause 15 of the Letters Patent.

12. *Miscellaneous.*—(1) **Right to defend** : Every person against whom proceedings are initiated under the Act may as a matter of right be defended by an advocate of his choice competent to appear before the High Court.

(2) **Evidence** : In all matters under the Act the charge may be determined either on the affidavits filed (and documents, if any) or after taking such further evidence as may be necessary. Where the Court summons any person to appear as a witness in any proceedings, the expenses of such witness or witnesses, as determined according to the rules for the time being in force, shall be paid by the Registrar out of the contingency funds, provided that the Court may direct any party to the proceedings to pay such expenses.

(3) **Provisions of the Code of Criminal Procedure/Civil Procedure Code to be followed** : The provisions of the Code of Criminal Procedure and the Civil Procedure Code which are not inconsistent with the provisions of the Act and these rules, shall be applicable to enforce and execute the orders passed by the High Court in proceedings for Contempt.

(4) **Proceedings under other Laws** : Proceedings initiated under the Act, shall not be a bar to any Court for proceeding under the provisions of other laws relating to Contempt of Courts. The proceedings in the High Court may be in addition to any impending proceedings before the Courts or proceedings that may be initiated during the pendency of a contempt proceeding before the High Court.

13. *Costs.*—The High Court may direct any party to a proceeding under the Act to pay the Costs thereof as determined by it to any other party thereto.

14. *Execution.*—It shall be the duty of the Registrar to carry out, enforce and execute the orders passed by the High Court in any proceeding under the Act, and in particular, orders imposing fines or awarding costs.

15. *Procedure on Apology.*—

(a) If at any time during the pendency of the proceeding or thereafter before the execution of the sentence, the accused tenders an apology, the same shall be placed for orders of the Court at once with the entire records of the case.

(b) If the Court accepts the apology, further proceeding shall be dropped and the warrant, if any issued, shall be recalled by an order.

16. *Rules not to apply to ex-facie Contempt.*—Nothing in these rules shall apply to ex-facie Contempt governed by section 480 of the Code.

17. *Repeal and savings.*—On the coming into force of these rules, all existing rules governing the subject that is dealt with or covered by these rules shall stand repealed :

Provided that this repeal shall not affect or invalidate anything done, any action or decision taken, any disposal made, any order or proceeding made before the enforcement of these rules.

By order of the Hon'ble High Court.

(Sd.) SANJAY DHAR,

Registrar General.

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FORM I

**(Notice to a person charged with contempt of Court)**

[See Rule 8(b)]

**IN THE HIGH COURT OF JAMMU AND KASHMIR**

Contempt Case No.\_\_\_\_\_ Criminal/Civil of \_\_\_\_\_

ABC

Versus

XYZ

(Petitioner)

(Respondents)

To

Sh.\_\_\_\_\_

S/o\_\_\_\_\_

R/o\_\_\_\_\_

(Here inscribe the address of the alleged contemnor)

WHEREAS, your attendance is necessary to answer a charge of Contempt of Court viz. (briefly state the nature of the Contempt) and file affidavit in support of your defence, if any.

You are hereby directed to appear in person or through an advocate (if the Court has so ordered) before this Court at Jammu/Srinagar on the\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ A. M. and shall continue to attend the Court on all days thereafter to which the case against you stands adjourned and until final orders are passed on the charge against you.

HEREIN FAIL NOT

Given under my hand and seal for the Court this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Registrar Judicial

FORM II

**WARRANT OF ARREST**

[See Rule 8(e)]

IN THE HIGH COURT OF JAMMU AND KASHMIR  
AT JAMMU/SRINAGAR

Contempt Case No. \_\_\_\_\_ Criminal/Civil of \_\_\_\_\_

ABC

Versus

XYZ

(Petitioner)

(Respondent)

To

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Here inscribe the Name/Designation of the person who is to execute the Warrant)

WHEREAS \_\_\_\_\_ of \_\_\_\_\_ is charged with committing Contempt of this Court, you are hereby directed to arrest the said \_\_\_\_\_ and to produce him before this Court.

HEREIN FAIL NOT

(If the Court has issued a bailable warrant, the following endorsement shall be made on the warrant)

If the said \_\_\_\_\_ shall give bail in the sum of Rs. \_\_\_\_\_ with one surety in the sum of Rs. \_\_\_\_\_ (or two sureties each in the sum of Rs. \_\_\_\_\_) to attend before this Court on the \_\_\_\_\_ day of \_\_\_\_ 20 \_\_\_\_ and to continue so to attend until otherwise directed by this Court, he may be released.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Registrar Judicial.

FORM III

**BOND AND BAIL BOND AFTER ARREST UNDER A WARRANT  
IN THE HIGH COURT OF JAMMU AND KASHMIR AT JAMMU/  
SRINAGAR**

*(See Rule 10)*

I, (name) of \_\_\_\_\_ being brought before the District Magistrate of \_\_\_\_\_ (or as the case may be) under a warrant issued to compel my appearance to answer to the charge of contempt of the High Court do hereby bind myself to attend the High Court on the \_\_\_\_\_ day of \_\_\_\_\_ next, to answer to the said charge, and to continue so to attend, until otherwise directed by the High Court ; and in case of my making default herein, I bind myself to forfeit to the Government of Jammu and Kashmir, the sum of rupees \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

**(SIGNATURE)**

I do hereby declare myself surety for the above-named \_\_\_\_\_ of \_\_\_\_\_ that he shall attend before \_\_\_\_\_ in the High Court on the \_\_\_\_\_ day of \_\_\_\_\_ next, to answer to the charge on which he has been arrested, and shall continue so to attend until otherwise directed by the High Court ; and, in case of his making default therein, I bind myself to forfeit to the Government of Jammu and Kashmir, the sum of rupees \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

EXTRAORDINARY

REGD. NO. JK—33



THE  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Vol. 130] Srinagar, Thu., the 22nd March, 2018/1st Chai., 1940. [No. 51-1

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART III**  
**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

O. M. No. A/10 (2013)-C-1075

Dated 22-03-2018.

Subject :—Amendment in Jammu and Kashmir Family  
Pension-cum-Gratuity Rules, 1964 vide SRO-284  
dated 11-07- 2017. Clarification of doubts thereof.

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Consequent to the issuance of SRO-284 dated 11-07-2017, doubts  
have been expressed by certain quarters as to whether the said SRO shall

2 The J&K Govt. Gazette, 22nd March, 2018/1st Chai., 1940. [No. 51-1

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apply to such cases also where the family pensioner had already attained the age of 25 years or above on the date of issuance of the SRO and in whose case the pension had been stopped/PPOs' surrendered to the Accountant General for cancellation.

The issue has been examined in Finance Department and it is clarified that the family pension in such cases shall be payable from 11th of July, 2017, the date of issuance of the SRO on prospective basis.

(Sd.) .....

Director (Codes),  
Finance Department.

EXTRAORDINARY

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THE  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Vol. 130] Srinagar, Wed., the 28th March, 2018/7th Chai., 1940. [No. 51-k

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separate compilation.

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**PART III**  
**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 28th March, 2018.

SRO-147.—In exercise of the powers conferred by section 164 of the Jammu and Kashmir Goods and Services Tax Act, 2017 (Act No. V of 2017), the State Government hereby makes the following rules further to amend the Jammu and Kashmir Goods and Services Tax Rules, 2017, namely :—

1. Save as otherwise provided in these rules, they shall come into force on the date of publication of Central Goods and Services Tax (Third Amendment) Rules, 2018 in the Central Gazette.

2. (i) in rule 45, in sub-rule (1), after the words, “where such goods are sent directly to a job worker”, occurring at the end, the following shall be inserted, namely :—

“and where the goods are sent from one job worker to another job worker, the challan may be issued either by the principal or the job worker sending the goods to another job worker :

Provided that the challan issued by the principal may be endorsed by the job worker, indicating therein the quantity and description of goods where the goods are sent by one job worker to another or are returned to the principal :

Provided further that the challan endorsed by the job worker may be further endorsed by another job worker, indicating therein the quantity and description of goods where the goods are sent by one job worker to another or are returned to the principal.” ;

(ii) in rule 124—

(a) in sub-rule (4), in the first proviso, after the words “Provided that”, the letter “a” shall be inserted ;

(b) in sub-rule (5), in the first proviso, after the words “Provided that”, the letter “a” shall be inserted ;

(iii) for rule 125, the following rule shall be substituted, namely :—

**“125. Secretary to the Authority.**—An officer not below the rank of Additional Commissioner (working in the Directorate General of Safeguards) shall be the Secretary to the Authority.” ;

(iv) in rule 127, in clause (iv), after the words “to furnish a performance report to the Council by the tenth”, the word “day” shall be inserted ;

(v) in rule 129, in sub-rule (6), for the words “as allowed by the Standing Committee”, the words “as may be allowed by the Authority” shall be substituted ;

(vi) in rule 133, after sub-rule (3), the following sub-rules may be inserted, namely :—

“(4) If the report of the Director General of Safeguards referred to in sub-rule (6) of rule 129 recommends that there is contravention or even non-contravention of the provisions of section 171 or these rules, but the Authority is of the opinion that further investigation or inquiry is called for in the matter, it may, for reasons to be recorded in writing, refer the matter to the Director General of Safeguards to cause further investigation or inquiry in accordance with the provisions of the Act and these rules.” ;

(vii) for rule 134, the following rule shall be substituted, namely :—

**“134. Decision to be taken by the majority.—(1)** A minimum of three members of the Authority shall constitute quorum at its meetings.

(2) If the Members of the Authority differ in their opinion on any point, the point shall be decided according to the opinion of the majority of the members present and voting, and in the event of equality of votes, the Chairman shall have the second or casting vote.” ;

(viii) after rule 137, in the Explanation, in clause (c), after sub-clause (b), the following sub-clause shall be inserted, namely :—

“c. any other person alleging, under sub-rule (1) of rule 128, that a registered person has not passed on the benefit of reduction in the rate of tax on any supply of goods or services or the benefit of input tax credit to the recipient by way of commensurate reduction in prices.” ;

(ix) after rule 138 D, the following Explanation shall be inserted, with effect from the 1st of April, 2018, namely :—

*“Explanation :—For the purposes of this Chapter, the expressions ‘transported by railways’, ‘transportation of goods by railways’, ‘transport of goods by rail’ and ‘movement of goods by rail’ does not include cases where leasing of parcel space by Railways takes place.”.*

The Notification shall come into force on the date of publication of corresponding amendment of Central Goods and Services Tax (Amendment) Rules, 2018 in the Central Gazette.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Principal Secretary to Government,  
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33



THE  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

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**PART III**  
**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—LABOUR AND EMPLOYMENT  
DEPARTMENT

Notification

Jammu, the 2nd April, 2018.

SRO-150.—In exercise of the powers conferred by section 26 of the Payment of Wages Act, 1936, the Government of Jammu and Kashmir hereby intends to make the following amendments in Jammu and Kashmir Payment of Wages Rules, 1972, namely :—

1. in rule 3, for “Form XI”, the “Form XI” appended to this notification shall be substituted ;

2. in sub-rule (1) of rule 4, for “Form I”, the “Form I” appended to this notification shall be substituted ;
3. in rule 5, for “Form II”, the “Form I” appended to this notification shall be substituted ;
4. in rule 6, after the words “A register of wages shall be maintained”, the words “in Form II”, appended to this notification shall be inserted ;
5. in rule 14, for “Form IX”, the “Form II” appended to this notification shall be substituted ;
6. in sub-rule (3) of rule 24, for “Form III”, the “Form I” appended to this notification shall be substituted ; and
7. Form III and Form X shall be omitted.

Now, in pursuance of sub-section (2) of section 26 of the Payment of Wages Act, 1936, any person(s) who desire(s) to object to the aforesaid amendments may submit his/her objections/suggestions for consideration in writing to the Commissioner/Secretary to Government, Labour and Employment Department, Civil Secretariat within a period of six weeks from the date of issuance of this notification.

Any objection/suggestion received after the expiry of the said period shall not be entertained.

By order of the Government of Jammu and Kashmir.

(Sd.) KIFAYAT HUSSAIN RIZVI, IAS,  
Commissioner/Secretary to the Government,  
Labour and Employment Department.

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## FORM I

(See rule 4, 5 & rule 24 (3))

### REGISTER FOR DAMAGE/LOSS/FINE/ADVANCE/LOANS

Factory/Industrial establishment.....

S. No. in Employee register	Name	Recovery type (damage/ loss/ fine/ advance/ loans)	Particulars	Date of damage/ loss*	Amount	Whether show cause issued*	Explanation heard in presence of*	No. of Installments	First Month/ year	Last Month/ year	Date of complete Recovery	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

\*Applicable only in case of damage/loss/fine.

**FORM II**

*(See rule 6 & rule 14)*

**REGISTER OF WAGES**

Name and Address of Establishment.....

Name and location of the work .....

LIN/Registration No.....

Wage period from.....to .....(Monthly/Fortnightly/Weekly/Daily/Piece Rated)

	Highly Skilled	Skilled	Unskilled
Minimum Basic			
DA Overtime			
Overtime			

S. No. in Employee register	Name	Rate of Wage	No. of Days worked	Overtime hours worked	Basic	Special Basic	DA	Payments Overtime	HRA	*Others	Total
1	2	3	4	5	6	7	8	9	10	11	12

Deduction								Net Payment	Employer Share PF Welfare Fund	Receipt by Employee/ Bank Transaction ID	Date of payment	Remarks
PF	ESIC	Society	Income Tax	Insurance	Others	Reco-veries	Total					
13	14	15	16	17	18	19	20	21	22	23	24	25

\*In case of Mines Act any Leave Wages paid should be shown in the Others Column and specifically mentioned in the Remarks column also.

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FORM XI

(See rule 3)

**ATTENDENCE REGISTER/MUSTER ROLL**

Name and address of the Establishment.....

Name and address of employer .....

LIN/Registration No.....

For the period from ..... to .....

S. No. in Employees register	Name	Relay/Place of work*	Date 1 2 3 4 ..... 31 IN OUT	Summary/No. of Days	No. of hours worked with remarks	**Signature of Register Keeper
1	2	3	4	5	6	7

\* In case of Mines only (Underground/Opencast/Surface).

In case an employee is not present the following to be entered : (R for Rest/L for Paid Leave/A for absent/O for Weekly Off/C for Establishment closed).

\*\* Not necessary in case of E Form maintenance.

EXTRAORDINARY

REGD. NO. JK—33



THE  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Vol. 130] Srinagar, Mon., the 2nd April, 2018/12th Chai., 1940. [No. 52-d

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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**PART III**  
**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—LABOUR AND EMPLOYMENT  
DEPARTMENT

Notification

Jammu, the 2nd April, 2018.

SRO-151.—In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (XI of 1948), the Government of Jammu and Kashmir hereby intends to make the following amendments in Jammu and Kashmir Minimum Wages Rules, 1972, namely :—

1. in sub-rule (4) of rule 21, for “Form I and II respectively”, the composite “Form I” appended to this notification shall be substituted ;

2. in sub-rule (2) of rule 26, for “Form IV”, the “Form IV” appended to this notification shall be substituted ;
3. in sub-rule (1) of rule 27, for “Form XII”, the “Form IV” appended to this notification shall be substituted ;
4. in sub-rule (5) of rule 27, for “Form V”, the “Form V” appended to this notification shall be substituted ; and
5. form II and Form XII shall be omitted.

Now, in pursuance of sub-section (1) of section 30, any person(s) who desire(s) to object to the aforesaid amendments may submit his/her objections/suggestions for consideration in writing to the Commissioner/Secretary to Government, Labour and Employment Department, Civil Secretariat within a period of six weeks from the date of issuance of this notification.

Any objection/suggestion received after the expiry of the said period shall not be entertained.

By order of the Government of Jammu and Kashmir.

(Sd.) KIFAYAT HUSSAIN RIZVI, IAS,  
Commissioner/Secretary to the Government,  
Labour and Employment Department.

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**FORM I**

*(See rule 21 (4))*

**REGISTER FOR DAMAGE/LOSS/FINE/ADVANCE/LOANS**

Name and address of the Establishment.....

Name and address of employer .....

LIN/Registration No.....

S. No. in Employee register	Name	Recovery type (damage/ loss/ fine/ advance/ loans)	Particulars	Date of damage/ loss*	Amount	Whether show cause issued*	Explanation heard in presence of*	No. of Installments	First Month/ year	Last Month/ year	Date of complete Recovery	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

\*Applicable only in case of damage/loss/fine.

**FORM IV**

(See rule 26 (2) & 27 (1))

**REGISTER OF WAGES**

Name and Address of Establishment.....

Name and location of the work .....

LIN/Registration No.....

Wage period from.....to .....(Monthly/Fortnightly/Weekly/Daily/Piece Rated)

	Highly Skilled	Skilled	Unskilled
Minimum Basic			
DA Overtime			
Overtime			

S. No. in Employee register	Name	Rate of Wage	No. of days worked	Overtime hours worked	Basic	Special Basic	DA	Payments Overtime	HRA	*Others	Total
1	2	3	4	5	6	7	8	9	10	11	12

Deduction								Net Payment	Employer Share PF Welfare Fund	Receipt by Employee/ Bank Transaction ID	Date of payment	Remarks
PF	ESIC	Society	Income Tax	Insurance	Others	Reco-veries	Total					
13	14	15	16	17	18	19	20	21	22	23	24	25

\*In case of Mines Act any Leave Wages paid should be shown in the Others Column and specifically mentioned in the Remarks column also.

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FORM V

(See rule 27 (5))

**ATTENDENCE REGISTER/MUSTER ROLL**

Name and address of the Establishment.....

Name and address of employer .....

LIN/Registration No.....

For the period from ..... to .....

S. No. in Employees register	Name	Relay/Place of work*	Date 1 2 3 4 ..... 31 IN OUT	Summary/No. of Days	No. of hours worked with remarks	**Signature of Register Keeper
1	2	3	4	5	6	7

\* In case of Mines only (Underground/Opencast/Surface).

In case an employee is not present the following to be entered : (R for Rest/L for Paid Leave/A for absent/O for Weekly Off/C for Establishment closed).

\*\* Not necessary in case of E Form maintenance.

No. 52-g] The J&K Govt. Gazette, 3rd April, 2018/13th Chai., 1940. Tue.

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EXTRAORDINARY

REGD. NO. JK—33

## PART I-B

### **Jammu and Kashmir Government—Notifications.**

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#### GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIAT—REVENUE DEPARTMENT

##### Notification

Jammu, the 3rd April, 2018.

SRO-154.—In exercise of the powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No. XIII of 1963), and in supersession of all previous notifications issued in this behalf, the Government hereby appoint Shri Reyaz Ahmed Beigh, KAS, Sub-Divisional Magistrate (East), Srinagar to be the competent authority for the purposes of the said Act within the territorial jurisdiction of Tehsils Khanyar and North of District Srinagar.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

No. 52-h] The J&K Govt. Gazette, 3rd April, 2018/13th Chai., 1940. Tue.

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EXTRAORDINARY

REGD. NO. JK—33

## PART I-B

### **Jammu and Kashmir Government—Notifications.**

---

#### GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIAT—REVENUE DEPARTMENT

##### Notification

Jammu, the 3rd April, 2018.

SRO-155.—In exercise of the powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No. XIII of 1963), and in supersession of all previous notifications issued in this behalf, the Government hereby appoint Syed Naseer Ahmad (KAS), Sub-Divisional Magistrate, Sumbal of District Bandipora to be the competent authority for the purposes of the said Act within the territorial jurisdiction of Tehsils Sumbal and Hajin of Sub-Division, Sumbal of District Bandipora.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

No. 52-i] The J&K Govt. Gazette, 3rd April, 2018/13th Chai., 1940. Tue.

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EXTRAORDINARY

REGD. NO. JK—33

## PART I-B

### **Jammu and Kashmir Government—Notifications.**

---

#### **GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIAT—REVENUE DEPARTMENT**

##### Notification

Jammu, the 3rd April, 2018.

SRO-156.—In exercise of the powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No. XIII of 1963), and in supersession of all previous notifications issued in this behalf, the Government hereby appoint Mr. Shabir Hussain Bhat, KAS, Addl. Deputy Commissioner, Anantnag to be the competent authority for the purposes of the said Act within the territorial jurisdiction of Tehsils Anantnag and Shangus of District Anantnag.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

No. 52-j] The J&K Govt. Gazette, 3rd April, 2018/13th Chai., 1940. Tue.

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EXTRAORDINARY

REGD. NO. JK—33

## PART I-B

### **Jammu and Kashmir Government—Notifications.**

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#### GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIAT—REVENUE DEPARTMENT

##### Notification

Jammu, the 3rd April, 2018.

SRO-157.—In exercise of the powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No.XIII of 1963), and in supersession of all previous notifications issued in this behalf, the Government hereby appoint Mr. Mehraj-ud-Din Shah, KAS, Sub-Divisional Magistrate, Kangan to be the competent authority for the purposes of the said Act within the territorial jurisdiction of Tehsils Kangan and Gund of District Ganderbal.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAHID ANAYATULLAH, IAS,  
Commissioner/Secretary to Government,  
Revenue Department.

No. 52-1] The J&K Govt. Gazette, 3rd April, 2018/13th Chai., 1940. Tue.

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EXTRAORDINARY

REGD. NO. JK—33

## PART I-B

### **Jammu and Kashmir Government—Notifications.**

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#### **GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIAT—SCHOOL EDUCATION DEPARTMENT**

##### Notification

Jammu, the 3rd April, 2018.

SRO-159.—In exercise of the powers conferred by sub-section (1) of section 12 of the Jammu and Kashmir Board of School Education Act, 1975 (Act No. XXVIII of 1975) and in supersession of notification SRO-330 dated 09-08-2017 or any other notification issued in this behalf, the Government hereby appoints Prof. Veena Pandita, Secretary, JK BOSE, as Chairman, Jammu and Kashmir Board of School Education for a period of two years from the date of issuance of this notification.

By order of the Government of Jammu and Kashmir.

(Sd.) FAROOQ AHMAD SHAH, IAS,

Secretary to the Government,  
School Education Department.